

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 151: **DONNA AND JERRY SILVERBERG, RESIDENTS**

Response 151-1: The commentor is opposed to the project but does not raise any specific issues relating to the Draft EIR. This comment will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 152

Lori Lawrence - Martis Valley Community Plan

Page

From: Chris Hanke <cchanke@yahoo.com>
To: <LJLawren@placer.ca.gov>
Date: 8/16/02 11:38AM
Subject: Martis Valley Community Plan

Dear Lori;

As a property owner in Lahontan I am very concerned about the proposed Martis Valley Community plan, including it's lack of thorough analysis and details on the following subjects:

1. Increase in traffic on 267, and potential widening to four lanes through the entire valley. Do we want a new freeway through our beautiful valley? What

about the increased air pollution which will accompany large scale development and population increase?

2. Destruction of pristine wilderness and wildlife habitat.

3. The general lack of specifics and details in the plan.

Please don't hand Martis Valley over to the full control of the development community.

Best regards,
Chris Hanke

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152-1

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 152: **CHRIS HANKE, RESIDENT**

Response 152-1: The commentor is referred to Master Responses 3.4.6 (Consideration of Impacts to the Tahoe Basin), 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR), and 3.4.10 (Adequacy of the Traffic Impact Analysis) regarding concerns relating to traffic, loss of wildlife and increased air pollution. The commentor states that the plan lacks details, but fails to identify any inadequacies in the Draft EIR. The Draft EIR provides an extensive impact analysis associated with the project based on technical reports, mapping, and review by qualified professionals.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 153

Lori Lawrence - Martis Valley

Page

From: janice conover <jan2roost@yahoo.com>
To: <LJLawren@placer.ca.gov>
Date: 8/17/02 4:21PM
Subject: Martis Valley

Ms. Lawrence,

This is an email regarding the proposed Martis Valley Development plan. As a concerned citizen living in Kings Beach, I have many unanswered questions for the EIR and Martis Valley.

1. Where in the plan does the EIR address how the developments will affect the Truckee River Watershed?
2. Where in the EIR are the impacts on insects?
3. Where in the EIR is a study on our native Black Bears?
4. Where in the EIR does it address nesting spots for migrating birds?

153-1

I do not feel in any way that this EIR is complete, nor does it address the needs of everyone involved. I am requesting for more detailed observations, and I do not believe that golf courses should be considered open space.

Sincerely,
Janice Conover
POB 2329
7084 Allenby Lane
Kings Beach, CA 96143
530-548-3001

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3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 153: **JANICE CONOVER, RESIDENT**

Response 153-1: The commentor is referred to Master Responses 3.4.4 (Water Supply Effects of the Project) and 3.4. 7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR), as well as Section 4.7 (Hydrology and Water Quality) of the Draft EIR regarding concerns relating to impacts on watersheds. The commentor is referred to Section 4.9 (Biological Resources) of the Draft EIR for a discussion about bears and migratory birds. The native black bears (*Ursus americanus*) are considered common wildlife since they are not protected by state or federal endangered species acts or by the California Department of Fish and Game. The commentor is referred to pages 4.9-41 through –51 for a discussion of impacts to bears and other common wildlife. The commentor is referred to pages 4.9-62 through –67 for a discussion of impacts to nesting naptors and other migratory birds. In response to the commentors request to identify impacts to insects, CEQA does not cover impacts to insects. Regarding the consideration of golf courses as open space, the Placer County General Plan allows recreational uses in their Open Space Land Designation. The County considers the Draft EIR adequate for the purposes of CEQA.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 154

Lori Lawrence - martis valley plan

Pag

From: "paul david eggers" <peggers@excelonline.com>
To: <LJLawren@placer.ca.gov>
Date: 8/17/02 4:31PM
Subject: martis valley plan

Dear Ms. Lawrence,

In regards to the Martis Valley plan and draft EIR, I have quite a few questions.

1. Why does the plan not address the biodiversity of this area in regards to wildlife, plantlife, and wetland habitat?
2. Why does the plan not address perennial and intermittant streams in regards to building and construction zones?
3. When do the planners measure the 100 unbuildable feet from a stream or watershed? What about during high snow years?
4. Where in the plan or study is the introduction of non-native species discussed? I have a problem with the fact that many of these new homes and developments are bringing in non-native invasive plants to our area.
5. Where are the aerial photos of the area?
6. Was a scientists involved to figure out if phens are located in this area? This is a extremely sensitive plant area and could easily contain a phen.
7. How is travel over interstate 80 affected by this new plan?

154-1

Lastly, I am for absolutely no more development of the area. We have too many people, too many cars, and so much more pollution that ever before. It is time for us to say no.

Paul Eggers
POB 2329
7064 Allenby Lane
Kings Beach, CA 96143
530-546-3001

Lastly, I am for absolutely no more development of this area.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 154: **PAUL EGGERS, RESIDENT**

Response 154-1: The commentor is referred to Section 4.9 (Biological Resources) of the Draft EIR regarding concerns relating to impacts on wildlife, plantlife and wetland habitat. The commentor is referred to pages 4.7-30 through -37 in Section 4.7 (Hydrology and Water Quality) of the Draft EIR for a discussion of water quality impacts resulting from construction activities and County policies and implementation measures to protect perennial and intermittent streams. Proposed Martis Valley Community Plan Policies 9.D.4 and 9.E.3 specifically promote the retention of native vegetation and prohibit the use of non-native vegetation along waterways. The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis) for a discussion of how Interstate 80 would be affected by the plan. Comment noted. This comment will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 155

Lori Lawrence - comments on the Martis Valley Draft Environmental Impact Report

Page

From: <jeffhatch@mindspring.com>
To: <LJLawren@placer.ca.gov>
Date: 8/18/02 11:52PM
Subject: comments on the Martis Valley Draft Environmental Impact Report

Lori Lawrence
Environmental Review Technician
Placer County Planning Dept.
11414 "B" Avenue
Auburn, CA 95603

LJLawren@placer.ca.gov

Ms. Lawrence,

I have just spent the last hour reading the Martis Valley Community Plan Update, Draft Environmental Impact Report (MVCP/EIR).

I clicked through each of the 796 pages and came away with a very strong and personal opinion about the MVCP/EIR. In Section 7, I was particularly troubled by the conclusions of significant or potentially significant impact in all areas discussed.

155-1

In sum, it appears Placer County is more concerned with it's future residents and visitors than it's current residents and visitors. I find this very alarming. If North Tahoe were underdeveloped, underpopulated, and underutilized, it would be sensible for Placer County to look forward instead of backward. But it's not.

155-2

Throughout my reading, I had the feeling the MVCP/EIR was written by a consortium of real estate developers, promising the county higher tax receipts in exchange for the right to pave over Martis Valley.

The authors of the MVCP/EIR do not echo concerns of the local populace or current visitors. If this plan is implemented and even half of the proposed developments are completed, the landscape for tourism will be significantly different. North Tahoe will become an urban outpost. Most current residents do not want this, as they usually locate here to avoid the nightmares of city life. Most current visitors do not want this either.

155-3

At the risk of sounding obstructionist, I would encourage you to scrap the existing MVCP/EIR and start over. Please add my name to the list of concerned citizens who do not support the existing Martis Valley Community Plan Update, Draft Environmental Impact Report.

155-4

Thank you for your attention,

Jeff Hatch
jeffhatch@mindspring.com

Truckee, California
530-587-8877

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 155: **JEFF HATCH, RESIDENT**

Response 155-1: Comment noted. Since no specific comments regarding the adequacy of the Draft EIR were made, no further response is required.

Response 155-2: Comment noted. This comment will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration.

Response 155-3: Comment noted. This comment will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration.

Response 155-4: The commentor is opposed to the project. The commentor also requests that the County prepare a revised Draft EIR and recirculate it to the public. The County considers the Draft EIR and Revised Draft EIR adequate for consideration of the project and consistent with the requirements of CEQA.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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| 03/02/1994 17:12 702-588-1559 | Letter 156 DESIGN WORKSHOP | PAGE 01 |
| <div style="display: flex; justify-content: space-between;"><div style="width: 30%;"><p>Design Workshop, Inc. Landscape Architecture Land Planning Urban Design Tourism Planning</p></div><div style="width: 65%;"><p>Facsimile Transmittal</p><p>To: Fred Yeager and Bill Combs</p><p>From: Deanna Weber/Stephanie Grigsby</p><p>Date: August 19, 2002</p><p>Fax Number: 530-889-7498</p><p>Project Name: Northstar-at-Tahoe</p><p>Project #: 2342</p><p>Subject: Martis Valley Community Plan EIR</p><p>Copy To: Roger Lessman, Tim Beck, David Tirman, David Corbin, Jim Porter, Jim Olmsted</p><p>Number of Pages: 9 (including this page)</p></div></div> | | |
| <hr/> PERSONAL AND CONFIDENTIAL <hr/> | | |
| <p>Dear Fred Yeager and Bill Combs,</p> <p>Following is a copy of the comments on the Martis Valley Community Plan Update Draft Environmental Impact Report dated May 2002. These comments are submitted on behalf of East West Partners; Booth Creek Ski Holdings, Inc.; and the Northstar-at-Tahoe project team.</p> <p>The comments have been submitted during the official review period for the Draft Environmental Impact Report. The comments have been submitted to the above recipients both electronically via email and by hardcopy fax on this date, Monday, August, 19, 2002, at 2:30 pm.</p> <p>If there were any problems with receiving the submittal, please contact Stephanie Grigsby at 775-588-5929.</p> <p>Thank you,</p> <p>Deanna Weber Stephanie Grigsby</p> <p style="margin-top: 40px;">This facsimile transmission (and/or accompanying documents) may contain confidential information belonging to the sender which is protected. The information is intended only for the use of the individual or the entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone in arrange for return of the documents</p> <div style="text-align: center; margin-top: 20px;"><p>DESIGNWORKSHOP</p><p>Albuquerque • Aspen • Denver • Jackson Hole • Park City • Phoenix • Santa Fe • Tahoe • Vail • Santa Cruz • Santiago • São Paulo 298 Kingsbury Grade, First Floor, #3, PO Box 5666, Stateline, NV 89449 • (tel) 775-588-5929 • (fax) 775-588-1559 www.designworkshop.com</p></div> | | |

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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DESIGN WORKSHOP

PAGE 02

Design Workshop, Inc.
Landscape Architecture
Land Planning
Urban Design
Tourism Planning

Memorandum

To: Fred Yeager
From: Deanna Weber/Stephanie Grigsby
Date: August 19, 2002
Project Name: Northstar at Tahoe
Project #: 2342
Subject: Martis Valley Community Plan EIR
Comments
Copy To: Roger Lessman, Tim Beck, Jim Porter,
David Tirman, David Corbin, and Jim
Olmsted

Notes: ~~Highlighted text~~ or **bold text** represents text to be added.
~~Strikethrough text~~ represents text to be removed.
Text in italics represents discussion comments, clarification questions, or explanation of changes.

Comments to be picked up throughout the document:

1. All maps show the location of Lookout Mountain in the wrong spot. It should be moved NE near the words Trimont.
2. Spelling and spacing errors.

VOLUME 1A

Section 2.0 Executive Summary; Page 2.0-17; Mitigation Measure 4.4.2b

Revise as follows:

Residential lots shall be restricted from having direct access onto the Connector, **if it is included in the Circulation Diagram as a public roadway.**

Northstar supports the connector road for fire, life, safety and inter resort transit only and does not support as a public roadway. In the event it does not become part of the Circulation Diagram, direct lot access should be allowed after careful review of site considerations.

156-1

Section 2.0 Executive Summary; Page 2.0-109; Mitigation Measure 4.12.4a

Revise as follows:

All light fixtures shall be limited to ~~45~~ **26** feet in height and shall be installed and shielded in such a manner that no light rays are emitted from the fixture..."

Preserving the nighttime view and decreasing nighttime lighting impacts is an important goal. However, restricting standards to 15 feet in height will cause an increase in the amount of standards needed to light parking areas, and other sites. The TRPA standard for light fixtures is 26 feet (Section 22.5). This balances the need to reduce light spill and effects of nighttime

156-2

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3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

| | | |
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| <i>lighting. Additionally, the 26 foot height minimizes the amount of standards required, and therefore reduces the daytime visual impact of numerous lighting standards. TRPA ordinance section 30.8 sets forth additional standards to minimize light spill.</i> | 156-2 Cont'd | |
| <u>Section 2.0 Executive Summary; Page 2.0-111 & 4.12-35; Mitigation Measure 4.12.4e</u> The Mitigation Policy indicates that nighttime lighting shall not be allowed for golf course driving ranges, sports fields and ski terrain. | | |
| <i>Currently Northstar has a nighttime activity center called "Polaris Park" located at the Big Springs Day Lodge and includes lighting for half pipes, terrain features and snow tubing. It is a compatible use that has been carefully designed with shielded lamps to mitigate night glare. We would like to suggest that lighting of nighttime ski related terrain be allowed with supporting documentation from a lighting expert that the proposed project will not adversely effect the night sky.</i> | 156-3 | |
| <u>Section 3.0 Project Description; Page 3.0-19; Second Paragraph</u> Consider adding language noting that the Proposed Plan will result in reduced impacts compared to the existing plan (i.e., see Table 6.0-3 on Page 6.0-17 of Vol. 1B). | 156-4 | |
| <u>Section 3.0 Transportation & Circulation; Page 3.30-33; First Bullet</u> Revise as follows: New roadway interconnection associated with connecting Big Springs Drive with the future Sawmill Flats-Reed Highlands Drive within the Northstar-at-Tahoe resort community. | 156-5 | |
| <i>Revision accurately reflects the road which connects to Big Springs Drive. Sawmill Flats Road is located by the employee housing site.</i> | | |
| <u>Section 4.2 Population; Page 4.2-3, 1st bullet</u> Revise as follows: "5,955 acres owned by Trimont Land Company, adjacent to Northstar. Although Potential development capacity has been identified at 2,636 D.U., no development is planned or anticipated at this time. Zoning includes..." | 156-6 | |
| <i>Confusion may arise between the development planned for Northstar-at-Tahoe and that which is located on Trimont land.</i> | | |
| <u>Section 4.2 Population; Page 4.2-2 Holding Capacity</u> Add reference to: Northstar-at-Tahoe/East West Partner's chart depicting Proposed Reduction of Number of Developable Units at Northstar-at-Tahoe. Prepared by Auerbach Engineering Group and Design Workshop, Inc. November 15, 2001. (Image of chart has been included in the comment package). | 156-7 | |
| <i>Matrix depicts study of holding capacity of Northstar-at-Tahoe utilizing various planning methods. Information is provided as a resource for the EIR.</i> | | |
| <u>Section 4.2 Population; Tables 4.2-12, 4.2-14, 4.2-16, & 4.2-18</u> The number 26,764 skiers shown in the tables is significantly greater than anything that could be supported by Northstar and therefore the number of employees projected is high. This number should be confirmed as to its validity and how it was derived. | 156-8 | |
| Page 2 | | |

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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| <u>Section 4.4 Transportation/Circulation; Page 4.4-16 1st and 2nd Paragraphs</u> | | |
| Revise Truckee Trolley information to current information for the 2001-2002 ski season. The route is currently served twice each day (not hourly service between 7:00 AM and 5:50 PM). | | 156-9 |
| <u>Section 4.4 Transportation/Circulation; Page 4.4-27; Subsection 4.2.3</u> | | |
| This section sets out six criteria, to be used for purposes of this EIR, for determining significant transportation and circulation impacts. The section states that these criteria "are consistent with, or more conservative than, the adopted policies or thresholds of Caltrans, Placer County, Tahoe Regional Planning Agency, and the Town of Truckee." | | 156-10 |
| <i>The criteria for determining significant impacts for purposes of an EIR need not, and should not, be more conservative or restrictive than those required by federal, state and local law being applied at the community plan level through the MVCP. The significance thresholds should adhere to adopted level-of-service policies, and should not be arbitrarily revised to be either more or less stringent than those policies.</i> | | |
| <u>Section 4.4 Transportation/Circulation; Page 4.4-30</u> | | |
| Northstar development is referred to as "all future residential development within Northstar is planned to be multi-family." | | |
| <i>Planning for the Northstar development is still conceptual and may result in some single-family units. Restricting development to only multi-family is overly limiting. Additionally, if trip generation rates assume the residential development at Northstar will all be multi-family, it is likely that actual trips have been overestimated and represent a "worst-case" analysis.</i> | | 156-11 |
| <u>Section 4.4 Transportation/Circulation; Page 4.4-35; Table 4.4-13</u> | | |
| Table 4.4-13, indicating PM Peak-Hour Trip Rates, includes the General Commercial land use designation, but not the Tourist Commercial land use designation. (The General Commercial land use designation is repeated two times, presumably for different areas). Because the Tourist Commercial designation may generate lower trip rates than the General Commercial designation the Tourist Commercial designation should be included and analyzed in some fashion. | | 156-12 |
| <u>Section 4.4 Transportation/Circulation; Page 4.4-37; Table 4.4-14</u> | | |
| This table seems to use the same trip rates for the General Commercial and Tourist Commercial land use designations. Because the Tourist Commercial designation may generate lower trip rates than the General Commercial designation, this difference between the two commercial land use designations should be recognized and the Tourist Commercial designation should be included and properly analyzed. | | 156-13 |
| <u>Section 4.5 Noise; Page 4.5-25 Table 10-1</u> | | |
| Revise Footnote 1 as follows: Because snowmaking is an integral part of a modern ski area, multi-family residential structures close to ski trails shall be subject only to interior noise level standards as would transient lodging in such locations. | | 156-14 |
| <i>Development in ski areas should not be restricted to only multi-family residential structures.</i> | | |
| Page 3 | | |

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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DESIGN WORKSHOP

PAGE 05

Section 4.6 Air Quality; Page 4.6-9; 2nd Paragraph

The second paragraph notes that "emissions resulting from subsequent development within the Plan area project is not likely a significant contributor to such condition," referring to deposition of nitrogen-containing particulate matter into the Tahoe Basin (which cause lake eutrophication); this statement is relevant to the following comment.

Section 4.6 Air Quality; Page 4.6-13; 2nd

Revise as follows:

"NOx emissions from this alternative represent a possible source of additional nitrogen deposited into the basin. Transport of pollutants from the Martis Valley into the Tahoe Basin is an unusual event, but would still contribute to air quality issues in the basin. Specifically, wind data from Donner Summit show winds from a westerly quadrant (southwest through northwest) occur 63 percent of the time, while winds from a northerly quadrant (northwest through northeast) occur only 3.8 percent of the time (California Department of Water Resources, 2002).

This discussion of the effect of nitrogen oxides generated under the Proposed Plan on the Tahoe Basin should be made consistent with the conclusion on Page 4.6-9 (see previous comment) that nitrogen-containing particulate matter from the Plan area are not a significant contributor to the Tahoe Basin. Thus, the statement "NOx emissions from this alternative represent a possible source of additional nitrogen deposited into Lake Tahoe" is inconsistent with previous conclusions and should be revised as stated above.

It is also internally inconsistent to state that "transport of pollutants from the Martis Valley into the Tahoe Basin is an unusual event" but to conclude that pollutants from Martis Valley would still "contribute to air quality issues in the basin." This conclusion is absent in discussions of this issue for each of the other alternatives, thus, the above revisions are necessary to create consistency of analysis across all alternatives.

Section 4.7 Hydrology and Water Quality; Page 4.7-8; 2nd Paragraph

Revise as follows:

"Therefore, existing sediment loads must be decreased by 189 tons in order to achieve the desired objective."

The paragraph in which the above sentence is found notes that suspended sediment loads for the Truckee River were estimated at 635 tons in 1997 and that per the DRI study commissioned by the LRWQCB the target TMDL is 446 tons, requiring a reduction of sediment loads of 189 tons. Given the five year age of this data, it should not be relied on in this EIR for setting standards for reduction in sediment loads. Moreover, because the DRI target has not been adopted by the LRWQCB, this EIR should not independently adopt standards regarding excess sediment loads. This conclusion is supported by the statement in the next paragraph that LRWQCB is "currently working on establishing the TMDL for the Truckee River." The County should require compliance with the TMDL standard adopted by the Regional Board, rather than a standard based on a study that may be out of date.

Section 4.7 Hydrology and Water Quality; Page 4.7-15; Final Paragraph

Add language clarifying that since arsenic concentrations are the natural and inevitable result of the volcanic geology of the Plan area, arsenic concentrations in ground water are not impacted by development.

Page 4

Section 4.7 Hydrology and Water Quality; Page 4.7-20; Multiple Paragraphs

Revise the paragraphs as follows:

1st Paragraph

"PCWA has adopted a conservative estimate of ~~an additional~~ 6,000 acre feet of surface water potentially available for future use once TROA is implemented, for a combined total of available surface water of 8,500 to 10,000 acre feet per year."

3rd Paragraph

"Therefore, approximately 17,448 acre feet of groundwater is additionally available for extraction annually without adversely affecting the long-term storage of the basin (i.e., for a total of 24,700 acre feet of groundwater available to meet the needs of existing and future development)."

156-18

4th Paragraph

"Under reliable estimates by the SWRCB and Nimbus, therefore the total water supply available to meet all ~~existing and~~ future development is ~~23,448~~ 24,700 acre feet of groundwater (gross diversion or extraction), and 10,000 acre feet of surface water, of which no more than 6,000 acre feet should be obtained from surface water sources until the estimate can be refined following execution and implementation of TROA. Thus, using these conservative estimates, the total sustainable water resource available for development in the Martis Valley is at minimum 30,700 to 34,700 acre feet per year."

These revisions are key to accurately stating water availability and to make this section consistent with data and conclusions on page 4.7-55. The problem on this page is subtle and repeated. Specifically, when the statements on this page refer to "future use" or "future development" the reference is actually to uses or to development projected to arise in the future, in addition to existing uses or development.

Here is the math:

AS DRAFTED

24,700 acre feet of available groundwater; less 7,252 acre currently being used, leaves 17,448 acre feet of groundwater for "future use" with an additional 6,000 acre feet of surface water for a total of 23,448 acre feet.

AS IT SHOULD BE DRAFTED

24,700 acre feet of available groundwater, of which 7,252 is currently being used, leaving 17,448 acre feet of groundwater available to meet the needs of subsequent development, with an additional 10,000 acre feet of surface water available under TROA, of which 2,500 to 4,000 acre feet is currently being used, leaving a conservative PCWA estimate of 6,000 acre feet of surface water available to meet the needs of subsequent development.

Thus, the total available water resource, to meet the needs of existing plus subsequent development is: 7,252 + 17,448 + 6,000 (using a conservative estimate of available surface water when TROA is implemented; should actually be 10,000 AF) for a total of 30,700 acre feet per year.

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VOLUME 1B

Section 4.9 Biological Resources: Page 4.9-34; 1st Paragraph

Information pertaining to the natural resources of Northstar-at-Tahoe is available for review. Environmental reports that have been prepared for Northstar-at-Tahoe are listed. Reference should be made that this information was provided to the County.

Environmental Reports for Reference (Biological Reports)

Add reference to the following environmental reports provided for current information regarding Northstar-at-Tahoe.

Northstar-at-Tahoe Expansion Projects Real Estate and Ski Improvement (Phase I-V) Technical Studies, Air Quality Impact Analysis. (KEA Environmental, Inc.).

Northstar-at-Tahoe Expansion Projects Real Estate and Ski Improvement (Phase I & II) Technical Studies, Biological. (KEA Environmental, Inc. 2001).

Northstar-at-Tahoe Expansion Projects Real Estate and Ski Improvement (Phase I-V) Technical Studies, Hydrology. (KEA Environmental, Inc. 2001).

Northstar-at-Tahoe Air Quality Baseline Data. (KEA Environmental, Inc. 2002).

Northstar-at-Tahoe Biological Baseline Data. (KEA Environmental, Inc. 2002).

Northstar-at-Tahoe Hazards Resources Baseline Data. (KEA Environmental, Inc.).

Northstar-at-Tahoe Hydrology Baseline Data. (KEA Environmental, Inc. 2002).

Section 4.10 Cultural and Paleontological Resources: Page 4.10-5; 3rd Paragraph

Reference is made to the baseline cultural resource studies for Northstar-at-Tahoe. Studies listed below have been made available to the County.

Environmental Reports for Reference (Cultural Reports)

Add reference to the following cultural reports provided for current information regarding Northstar-at-Tahoe.

Northstar-at-Tahoe Cultural Resources Baseline Data. (KEA Environmental, Inc. 2002). (Sensitive material. Available only to appropriate sources.)

Northstar-at-Tahoe Expansion Projects Real Estate and Ski Improvement (Phase I-V) Technical Studies, Cultural Resources. (KEA Environmental, Inc. 2001). (Sensitive material. Available only to appropriate sources.)

156-19

156-20

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3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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PAGE 88

Section 8.0 Draft Mitigation Monitoring and Reporting Program; Page 8.0-10; Mitigation Measure 4.8.4

Revise as follows: "During review of any project that would be located along a north-facing slope adjacent to areas with slopes ~~30 percent~~ **29 degrees** or greater, Placer County shall require each subsequent project provide the County with an avalanche hazard investigation...

156-21

The second paragraph in Section 4.3, page 4.3-3 avalanche hazards, states that Avalanches occur on northerly and easterly slopes inclined at angles greater than 29 degrees. It would seem that if avalanches typically happen on slopes of 29 degrees or greater, than 29 degrees should be the governing grade requiring analysis, not 30 percent.

Section 8.0 Draft Mitigation Monitoring and Reporting Program; Page 8.0-15; MM 4.12.4a

Revise as follows:

All light fixtures shall be limited to ~~45~~ **26** feet in height and shall be installed and shielded in such a manner that no light rays are emitted from the fixture..."

156-22

Preserving the nighttime view and decreasing nighttime lighting impacts is an important goal. However, restricting standards to 15 feet in height will cause an increase in the amount of standards needed to light parking areas, and other sites. The TRPA standard for light fixtures is 26 feet (Section 22.5). This balances the need to reduce light spill and effects of nighttime lighting. Additionally, the 26 foot height minimizes the amount of standards required, and therefore reduces the daytime visual impact of numerous lighting standards. TRPA ordinance section 30.8 sets forth additional standards to minimize light spill.

Page 7

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

03/02/1994 17:12 702-588-1559

DESIGN WORKSHOP

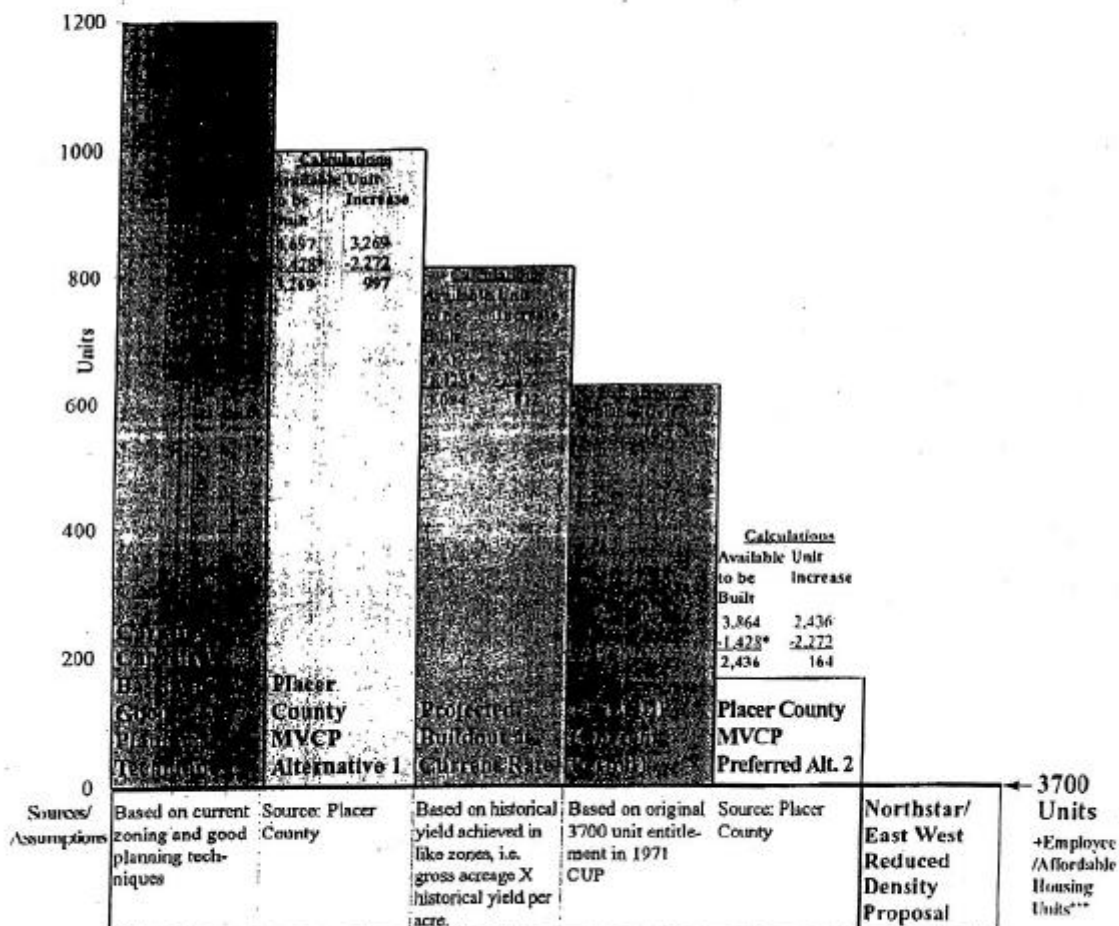
PAGE 89

Northstar/East West Proposed Reduction of Number of Developable Units at Northstar at Tahoe

Prepared by: Auerbach Engineering and DWI

Date: 8/19/02

| | | | | | |
|------|-------------------------------------|------------------------------------|------------------------------------|------------------------------------|-----------------------------------|
| 1400 | +1197 Units Increase of 52.6% | +997 Units Increase of 43.9% | +812 Units Increase of 35.7% | +625 Units Increase of 27.5% | +164 Units Increase of 7.2% |
|------|-------------------------------------|------------------------------------|------------------------------------|------------------------------------|-----------------------------------|



* 1,428 units currently built at Northstar at Tahoe.

** Percentage increase calculated from a ratio between proposed units to be developed at Northstar (2272 maximum), compared to the number of developable units allowed at Northstar per each scenario.

***Employee/Affordable Housing units and 25 additional units outside original entitlement boundary not included in 3700 unit total.

Additional Notes: 1) Based on PD designation, there is unlimited commercial providing that coverage & height limitations are addressed.

2) Hotel density is: 1 unit per 1,000 sf (25 units per acre w/out kitchen, 15 units per acre w/kitchen). Based on Placer County Code section 17.56.130 (15.410 in 1998 code).

3) PD designation allows for transfer of density (Placer County Code section 17.54.080).

4) Other notes: none are listed to be considered as noted.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 156: DEANNA WEBER/STEPHANIE GRIGSBY, DESIGN WORKSHOP

Response 156-1: Comment noted. The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Analysis).

Response 156-2: Mitigation Measure MM 4.12.4a (Draft EIR page 4.12-35) does not specify or limit the height of light fixtures. The following edits are made to the Draft EIR to fix this error.

- Pages 2.0-109 (Table 2.0-1) page 8.0-15 (Table 8.0-1), the following text changes are made to Mitigation Measure MM 4.12.4a:

“MM 4.12.4a Outdoor light fixtures for subsequent non-residential areas (such as commercial and recreation areas) shall be low-intensity, shielded and/or directed away from residential areas and the night sky. All light fixtures shall be limited to 15 feet in height and shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High-intensity discharge lamps, such as mercury, metal halide and high-pressure sodium lamps shall be prohibited. Lighting plans shall be provided as part of improvement plans to the County with supporting documentation that adjacent residential areas will not be adversely affected and that offsite illumination will not exceed 1-foot candles from project sources. ”

Response 156-3: Current nighttime lighting provided at the Northstar-at-Tahoe Ski Resort is noted. Light fixtures associated with providing adequate lighting for nighttime activities at ski resorts typically involve substantial light fixtures that can generate substantial “sky glow” conditions. Given the visibility of Northstar within the Plan area (see Photo 4.12-3 on Draft EIR page 4.12-2), the requested change to Mitigation Measure MM 4.12.4e is not recommended.

Response 156-4: Comment noted. The project description in an EIR is intended to describe the project evaluated, rather than an evaluation of project impacts. Table 6.0-1 of the Revised Draft EIR provides a comparison of visual impacts of Proposed Land Use Diagram to the Existing Martis Valley General Plan Land Use Map.

Response 156-5: Comment noted. The following text changes are made to the Draft EIR:

- Pages 3.0-33, the following text changes are made to the first bullet:
- “New roadway interconnection associated with connecting Big Springs Drive with the future Highlands Drive ~~Sawmill Flat Road~~ within the Northstar-at-Tahoe resort community.”

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

- Response 156-6:* This specific statement is in reference to the fact that there is no current application for development on this property at the time of the release of the Draft EIR.
- Response 156-7* The provision of information associated with proposed reductions in the number of developable units is noted. Tables 3.0-2 through 3.0-5 of the Draft EIR specifically note the assumed number of dwelling units within Northstar at buildout under the land use map options.
- Response 156-8* As cited in Tables 4.2-12, 4.2-14, 4.2-16 and 4.2-18 of the Draft EIR, the information used consists of review of employment factors and data provided by the Town of Mammoth Lakes, Town of Vail as well as the Placer County Mitigation Agreement associated with the Northstar-at-Tahoe Ski Resort.
- Response 156-9* The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 156-10* As specifically noted on Draft EIR page 4.4-27, the LOS standards used consist of LOS standards of the Town of Truckee, Placer County and the Tahoe Regional Planning Agency.
- Response 156-11* The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis) and **Appendix B** regarding the revised traffic analysis for the Proposed Land Use Diagram.
- Response 156-12* The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis) and **Appendix B** regarding the revised traffic analysis for the Proposed Land Use Diagram. The traffic analysis conservatively assumes no trip reduction potential associated with land areas designated Tourist Commercial.
- Response 156-13* The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis) and **Appendix B** regarding the revised traffic analysis for the Proposed Land Use Diagram. The traffic analysis conservatively assumes no trip reduction potential associated with land areas designated Tourist Commercial.
- Response 156-14* The commentor's statements regarding the Martis Valley Community Plan is noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. Since no comments regarding the adequacy of the Draft EIR were received, no further response is required.
- Response 156-15* The commentor is correct that the project would not be a substantial contributor to air pollution and associated water quality issues for the Tahoe Basin. However, the project would still contribute to air pollution to the Tahoe Basin (as acknowledged on Draft EIR pages 4.6-12 through -20). The commentor is referred to Master Response 3.4.6 (Consideration of Impacts to the Tahoe Basin).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

- Response 156-16* The information cited by the commentor is a reference to technical studies associated with the water quality studies for the Truckee River in the setting discussion and was not used in the Draft EIR as a standard for compliance. The commentor is referred to Master Response 3.4.3 (Water Quality).
- Response 156-17* The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project).
- Response 156-18* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).
- Response 156-19* Comment noted. CEQA Guidelines Section 15087(c)(5) specifically requires that all documents referenced in an EIR be made available for public review.
- Response 156-20* Comment noted. CEQA Guidelines Section 15087(c)(5) specifically requires that all documents referenced in an EIR be made available for public review.
- Response 156-21* Comment noted. The following text changes are made to the Draft EIR:
- Pages 2.0-56 (Table 2.0-1), 4.8-38 and 8.0-10 (Table 8.0-1), the following text changes are made to Mitigation Measure MM 4.8.4:
- "MM 4.8.4** During review of any project that would be located along a north-facing slope immediately adjacent to areas with slopes ~~2930~~ percent or greater, Placer County shall require each subsequent project provide the County with an avalanche hazard investigation report for their project. This report will document field investigations of surface conditions in areas where construction of all structures is proposed as well as typical snow accumulation and climate conditions. Evaluation of surface materials will be made to evaluate slope stability characteristics of underlying near surface conditions and probable snow conditions that will likely be present during various storm conditions. Avalanche hazard areas shall be mapped and the site design shall be modified to avoid these areas. If avoidance is infeasible, structures to be placed in the avalanche hazard areas shall be designed to withstand anticipated snow loads and conditions of an avalanche consistent with the Placer County Avalanche Management Program.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 157

PLACER COUNTY
DATE RECEIVED
AUG 19 2002
August 13, 2002
D. L. K. Welch

PLANNING DEPARTMENT

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Dept.
11414 "B" Ave.
Auburn, Ca. 95603

Re: Draft Environmental Impact Report for the Proposed Martis Valley
Community Plan Update

Dear Ms. Lawrence,

I am a part-time resident of Northstar, and have been actively following the planning process for the Martis Valley for two years. Many aspects of the County's preferred alternative plan and the associated Draft Environmental Impact Report, concern me. Both the water quality and water supply studies are difficult to understand. The Martis Creek drainage is supposed to reduce the amount of sediment by 30 percent per the Desert Research Institute to achieve the desired objective for the TMDL for sediment for the Truckee River Watershed. (DEIR, p. 4.7-8) Yet, I do not see in the DEIR an adequate analysis of many types of sediment which contribute to the Martis Creek sediment issue. For example, bike trails at Northstar might have a significant impact on the amount of erosion; yet these are not addressed in the Plan. Please do an analysis of the contribution of new development, bike trails and other non-vegetated paths to the sediment load in Martis Creek drainage. If it is significant, please state specific measures that will reduce the sediment load to insignificant.

157-1

I am concerned that many of the building sites will be on relatively steep slopes. This is based on my experience in the Big Springs subdivision of Northstar. Please set a firm threshold for development on slopes so that slopes in excess of 15 degrees will not be built on. I have been told by a member of Design Review at Northstar, that lots in the Overlook section are so steep that they are virtually unbuildable, especially when the owner wants an "estate" style home of approximately 5,000 square feet. Please address this issue and exclude sites that will not support construction without contributing unduly to erosion and sedimentation.

157-2

Surface water quality is supposed to be protected by Best Management Practices. Often times detention basins are used for this purpose. I am enclosing two articles by Leo Poppoff, published this summer in the Tahoe World which addresses the use of detention basins to keep nutrients and sediments out of Lake Tahoe. It appears that these basins do not do a complete job and might even adversely affect ground water quality. (See starred article: "Environmental threshold evaluation prompts TRPA to make policy changes"). In an article published August. 15, 2002 ("How well do dentention basins treat runoff?"), Poppoff reports on the efforts of USGS hydrologists to study Cattlemen's detention basin. Prior to building the basin, USGS researchers drilled thirty monitoring wells in the area which were sampled to record levels and composition of the ground water. This seems to be important to establish a base level. Key questions to be answered are: How

157-3

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

P. 2
X. Welch

well does the basin extract nutrients from runoff water? Does the basin pollute the groundwater, and could that ground water surface later to pollute streams? And, what would be the effect of oxygenated surface water seeping beneath the basin, into the rich organic soil that has no oxygen? Poppoff notes that basins can cause increased erosion of adjacent streams. Please refer to the enclosed article for a complete analysis.

157-3
Cont'd

Will detention basins be used on the golf courses planned for this project area? At Northstar, in the Big Springs development, there are several detention basins. Will detention basins be used in new subdivisions in the project area? For all types of uses (golf courses and residential subdivisions as well as others), do detention basins work as hoped? Before relying on detention basins to mitigate run-off from development, please determine their efficacy, using an approach similar to the one employed by the USGS at Cattlemen's detention basin.

At a public meeting on July 15, hosted by Sierra Watch, Ron Parr, of DMB Highlands, said that he would support the independent sampling of water in the Martis Valley to maintain the objective nature of the water monitoring process. Please appoint an independent group to take samples of the Martis Valley drainage so that monitoring of pollution as a result of golf courses and construction can be as objective as possible. In addition, please provide a periodic analysis of the results of the monitoring so that the public can be assured that the development in Martis Valley is not adversely affecting resources, such as water, which belong to us all.

157-4

No analysis is made of the effect of residential landscaping, ski trail revegetation efforts, or snowmaking on the water supply or quality in the Martis Valley. Many residents of Northstar have lawns, which require fertilizer and pesticide maintenance. How does this affect our water? Will developments in the Martis Valley Community Plan have restrictions on the type of landscaping and maintenance which will be provided? How often is fertilizer applied at golf courses to maintain their lush, green look? How can we be sure that nitrates, pesticides, phosphorous, etc. do not enter the Martis Creek system?

157-5

Once again, I refer to an August 9, 2002 newspaper article in the North Lake Tahoe Bonanza (New treatment system removes chemical from well). The Martis Valley Community Plan DEIR assumes some interaction between the upper and middle/lower aquifers, but believes the continuous clay member at the base of the upper aquifer limits the transfer of ground water. The enclosed news article refers to a 30 foot layer of clay separating two aquifers; nonetheless, contamination of the lower aquifer by substances (MTBE in this case) did occur. I am concerned that pollutants from golf courses, etc. will enter not only our surface water, but both the aquifers in this valley. How will you ensure that they do not? Likewise, I do not believe an adequate analysis was done of the effects of pumping from the middle/lower aquifer on springs and seeps because the Nimbus report assumed that the middle/lower aquifer responded as a confined unit. I request that an independent analysis determine the effect of pumping ground water on surface water including springs and seeps, assuming that the two aquifers are connected.

157-6

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

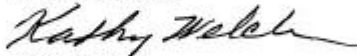
P. 3
x Welch

At Northstar, we brag that our water could be bottled, it's so pure. I believe that water quality at Northstar is high because it comes from springs in the area. What is the effect of using these springs on the flow of the Martis Creek system? Please address this issue.

157-7

Thank you,

Sincerely yours,



Kathy Welch
111 Sandringham Rd.
Piedmont, Ca. 94611
Attachments:

Leo Poppoff, Tahoe World, "Environmental threshold evaluation prompts TRPA to make policy changes"

North Lake Tahoe Bonanza, "New treatment system removes chemical from well"

*Poppoff, Tahoe World, Aug. 15, 2002, How well
do detention basins treat runoff.*

J. M. Welch
Comment Editor

ENVIRONMENT

Environmental threshold evaluation prompts TRPA to make policy changes

Two decades ago, when TRPA's Governing Board adopted the current environmental standards (or thresholds), there were great expectations that Lake Tahoe's woes would be ended within a reasonable time — maybe a couple of decades.

Well, sure, some folks were skeptical, but they weren't taken seriously.

Federal and state programs to purchase sensitive parcels, along with a multi-million dollar erosion control program, were designed to stop the expanding populations of algae and the decline of lake water clarity.

TRPA staff recently completed a thorough evaluation of those environmental thresholds and the progress made toward achieving them.

They found some progress. Some thresholds were achieved. Water quality in some streams has improved. And TRPA believes that the rate of decline of lake water quality might be slowing down. But, overall, the situation is disappointing.

In view of what's been learned in the past two decades, it's evident that some environmental thresholds should be modified, some might well be obsolete, and new ones should be proposed.

For example, 20 years ago, we believed that nitrogen should be controlled. Now, we find that nitrogen is beyond our control. Controlling phosphorus appears to be more feasible. Twenty years ago, we believed that algae were the cause of declining water clarity. Now, we find that tiny soil particles also play an important role.

We relied heavily on detention basins to keep nutrients and sediments out of the lake.

— Yet, now we're finding that they weren't doing a complete job — and might even be affecting ground water quality. Twenty years ago, we believed that all the offending sediment and nutrient load to be lake was carried by stream water.

But, we're learning that

much of the polluted runoff from urban areas flows directly into the lake, bypassing the streams. And, we're learning that atmospheric deposition

accounts for significant portions of the pollutant load. We now believe that urban runoff and atmospheric deposition,

together, accounts for some two-thirds of the problem.

TRPA staff will be taking a closer look at current thresholds, with a view toward bringing them up to date. A new regional plan, due in five years, will be developed to comply with new thresholds. And future pollutant control projects will incorporate better techniques, based on the results of current research.

Still, what should be done to help the Tahoe environment as the measures? TRPA staff, concerned about the results of the recent threshold evaluation, is proposing some serious changes to current practices. Perhaps the most controversial is a sharp reduction in the number of residential building permits issued each year.

Two important environmental programs have been lagging in the basin. One is the building of large, publicly funded, water treatment or watershed restoration projects — wetlands, detention basins, slope vegetation, etc.

The other is privately funded projects, called BMPs, on residential and commercial parcels. BMPs (Best Management Practices) on private parcels consist of techniques to prevent runoff — infiltration trenches, French drains, vegetation of disturbed areas, etc.

Why is this so important? First, it appears that perhaps a third of the pollutant load to the lake is direct runoff from urbanized areas.

Second, if much of the urban runoff is controlled on residential and commercial parcels, publicly financed projects won't have to treat as much water, and could be scaled back in size. Third, there just isn't enough land available in the right places to

build area-wide water treatment projects.

So, TRPA proposes to cut back sharply on building allocations until BMPs and watershed restoration projects are in place — or, at least until there is significant progress. The proposal is to cut allocations from the current 300 per year, basin-wide, to a base level of 150. The actual number of residential permits allocated per year could drop to 78 or increase to 294, depending on how each political jurisdiction around the basin complies with certain performance standards.

For example, if there is at least 70 percent compliance with conditions imposed on building permits, the jurisdiction will receive the base allocation.

If it exceeds 75 percent, it will gain some allocations, the number depending on degree of compliance. On the other hand, if compliance drops below 65 percent, the jurisdiction will lose allocations.

Similarly, if performance on watershed restoration projects exceeds the norm, additional allocations will be gained. And if it falls below, allocations will be lost. Retrofitting parcels with BMPs will also be rewarded. And, rewards will be made for enhanced levels of transit service.

Will those incentives inspire private property owners and political jurisdictions to get on with BMP retrofits and watershed restoration projects?

A hearing on this and other policy changes, such as higher fees, protection of vegetation during construction and aesthetic guidelines for shoreline development, will be held by TRPA's Governing Board at the North Tahoe Conference Center in Kings Beach on July 24. You might like to attend, hear the discussion and ask questions.

Comments? Send them to basinwatch@earthlink.net

— Leo Poppoff is a retired atmospheric physicist with NASA and has been a member of the Tahoe Regional Planning Agency's advisory planning commission since 1983. He is also a former member of the Lahontan Water Quality Control Board.



By Leo Poppoff

BASIN WATCH

lion for polluting lanes groundwater supplies with MTBE.

Shell Oil, Shell Products, Texaco Inc. and Equilon Enterprises LLC comprised the remaining defendants in a high-profile legal fight that debated, in national headlines, the fuel additive's validity.

"Several times we wondered if we should go forward. But I still believe in right makes might," STPUD board member Mary Lou Mosbacher said.

lives in Meyers near the Arrowhead well, said she isn't worried about drinking water supplied by the district.

"I didn't realize the well was working at this point," Beug said. "I'll still drink the water. It doesn't bother me if they say it's safe and they've tested it. I think there's so much other stuff in the water we don't know about."

Oil companies in the mid-1990s increased the amount of the additive in their gasolines to reduce automobile emissions. Some supplied gasoline with as much as a pint of MTBE per gallon, said Dennis Cocking, spokesman for the district.

On Monday, Shell Oil, Texaco and another oil company settled an MTBE-related lawsuit filed by the district for \$28 million. As a result of that

By Gregory Crofton
BONANZA NEWS SERVICE

A well polluted by trace amounts of the fuel additive MTBE is producing uncontaminated water for South Tahoe Public Utility District.

Its purity is being ensured by an innovative treatment system, the first of its kind in the nation used to filter drinking water.

The well, which began operating June 26, is one of eight discovered to be contaminated by MTBE, or methyl tertiary butyl ether. The district closed five other wells to prevent the additive from spreading. The district serves 14,000 homes and businesses at South Shore and owns a total of 34 wells.

Linda Beug, a 30-year South Shore resident who

Cocking said.

Chief Financial Officer Rhonda McFarlane said the district — which serves 14,000 homes and businesses — has spent roughly \$9.3 million in early cleanup efforts, staff time and litigation fees.

The attorneys will receive 30 percent of the settlement amounts earmarked to go into a separate account.

Since July 1999, 16 settlements — including Monday's — have totaled \$69 million. Exxon and Chevron represent

Harpole said the company believed that settling served the "best interests of the shareholders."

Harpole still believes in the product, which he added was "unfairly maligned by outside interests."

"When the product is used properly, it's a safe product," he said.

Frank Maisano, who spoke on behalf of MTBE manufacturers for the Oxygenated Fuels Association, said the

Ecules of MTBE. The cleaning process produces carbon dioxide and water, which are byproducts preferred by some over other treatment methods that leave behind dirty carbon filters.

"There's no waste stream therefore there's nothing to haul off," said Charles Borg, vice president of business development at Applied Process Technologies in Pleasant Hill, Calif.

APT, which started six years ago, sold the treatment system to the district and has 10 sites in the country where its technology is treating contaminated groundwater.

The Arrowhead well is at the intersection of Arrowhead and Hopi avenues. It pumps 800 gallons of water a minute.

"The water goes into our system," Cocking said. "A lot of it is being used in the Meyers area. There is nothing for anybody to be concerned

Monitoring and treatment

Shell Oil has joined Unocal in beating California Gov. Gray Davis' mandate to phase out MTBE statewide by 2003. The additive was banned at Lake Tahoe in 2000.

The settlement means no admission of guilt by the oil companies, Shell Oil spokesman Cameron Smyth said from the western regional offices in Burbank.

"It was now the appropriate time to settle," Smyth said.

The well is running 24-hours-a-day in an effort to suck out any water polluted by the additive. The district drilled the Arrowhead well two smaller wells at the same site. Those wells were shut down and filled with concrete.

To create a third well at the site, the district drilled into an aquifer, or an underground pool of water, that sits 150 feet deeper than the aquifer tapped for the older wells. A 30-foot layer of clay separates the aquifers, but somewhere traces of the fuel additive got into the third well.

The district shut it down immediately because it has a non-detect policy for MTBE, meaning the water it delivers cannot contain any of the additive.

Monitoring and treatment

New treatment system removes chemical from Bonanza; Aug. 9, 2002

"I'll still drink the water. It doesn't bother me if they say it's safe and they've tested it. I think there's so much other stuff in the water we don't know about."

Linda Beug
South Shore resident

lawsuit, and others filed by the district, \$69 million will be available to treat contaminated wells at South Shore.

The new water treatment system filters out the additive by shooting bursts of ozone and hydrogen peroxide into the well water to destroy mol-

JOIN THE FUN!

*Tahoe world
Thursday,
Aug. 15, 2002
X. Welch
comment
letter.*

HOW WELL DO DETENTION basins treat runoff?

The idea is simple enough. Dig a shallow basin to intercept the flow of water running off an area. Let the water sit for a while, or at least slow down, and sediments will settle out. Phosphorus, which likes to attach itself to soil particles, will settle with the soil. Nitrogen, phosphorus and iron might be taken up by plants growing in the basin. And nitrogen, which dissolves easily in water, might soak into the ground.

So, water flowing out of the basin should be clean and not stimulate algal growth in Lake Tahoe — or cloud its water with fine particles. At least that's the assumption we've made for a couple of decades as we've attempted to treat dirty, nutrient-rich water before it flows to Lake Tahoe. But, is it a good assumption? Isn't it about time we find out?

Well, even as you read this column, a couple of U.S. Geological Survey (USGS) hydrologists (from the Carson City Office) are learning what's what with detention basins. Just off Pioneer Trail, at the end of Cattlemen's Trail next to Cold Creek, David Prudic and James Wood have instrumented a new detention basin. Their goal is to determine its effectiveness in removing sediments and nutrients.

But, detention basins don't exist in a vacuum. Often, they're located near streams and over shallow ground water. So, studying the interactions of detention basins with their surroundings is also an important part of the research.

Cattlemen's detention basin was built by El Dorado County (in cooperation with the Californian Tahoe Conservancy) to cap-

built, runoff from Pioneer Trail and Cattlemen's Trail flowed across an area that was once a disturbed meadow along Cold Creek. That portion of the meadow had been graded with as much as five feet of fill during the construction of nearby homes.

USGS researchers drilled thirty monitoring wells in the area before the detention basin was built. The wells were sampled regularly to record levels and composition of the ground



By Leo Poppoff

BASIN WATCH

water. Ground water flows under the meadow toward the creek, through organic-rich sand and silt.

Researchers found that the shallow ground water has naturally high concentrations of organic carbon, ammonia, and iron. There's little or no dissolved oxygen. Orange stains on the creek bed confirm that iron-rich ground water seeps into the stream.

To construct Cattlemen's detention basin, the fill was excavated, then vegetation was planted in the basin. However, most of the spring runoff occurs before vegetation starts to grow, so it's not certain that nutrients are stripped from runoff by vegetation. Water that overflows the basin is directed into the meadow. There, the water is further treated by spreading, settling and by the vegetation.

The basin was built last fall. And, now that the detention basin is operating, researchers are working to obtain answers to key questions.

How well does the basin extract nutrients from runoff water? Does the basin pollute the groundwater, and could that ground water surface later to red-

water seeping beneath the basin, into the rich organic soil that has no oxygen? Adding oxygen could change not only the chemistry of the subsoil, but also the kinds of microbes that act on nutrients. And all that could affect the quality of ground water that later surfaces in streams.

To get answers to these questions, Prudic and Wood installed automatic sampling instruments to monitor concentrations of nutrients, sediments and other chemicals upstream of the basin, flowing into the basin, seeping into the ground water below, and leaving the basin. The monitoring program will continue for another four years.

The work is still in progress, and this year's samples aren't all analyzed and interpreted. Yet, some interesting observations have been made of the interaction of ground water, basin water and the adjacent stream. The bank of the stream's meander that's closest to the basin has eroded rapidly since the basin was constructed. According to Prudic, it's because water in the basin increased the pressure of ground water seeping into the stream. That has softened the soil in the stream bank, making it easier to erode.

Snowmelt recharges the shallow aquifer below the basin. The pressure of this subsurface flow pushes some water upward, through the rich organic layer, and into the basin. So, water in the basin, containing nutrients and chemicals that run off the roads, soaks into the ground. Yet, water from the ground, containing carbon, ammonia and iron could also seep upward into the basin.

How does all this affect the water treatment efficiency of Cattlemen's detention basin? We won't know for a while, but it's already evident that digging a basin in a meadow and filling it with water sets off a chain of processes that isn't well understood, but which might affect the way runoff is treated.

Comments? Send them to Leo

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 157: KATHY WELCH, RESIDENT

- Response 157-1:* Draft EIR pages 4.7-30 through –44 of the Draft EIR document ways in which subsequent development under the Martis Valley Community Plan could impact surface water quality, which includes consideration of recreational activities. The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project).
- Response 157-2:* Comment noted. Proposed Martis Valley Community Plan Policy 9.A.9 specifically notes that the County will limit development in areas of steep slopes (e.g., 20 to over 30 percent).
- Response 157-3:* The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project). Effective water quality control measures currently in use in the Plan area (e.g., Lahontan I and II) include infiltration basins for each building site and roadway, overland flow of drainage to waterways and implementation of chemical application management plans (CHAMPs).
- Response 157-4:* The commentor's statements regarding the need for water quality monitoring is noted. The commentor is referred to Master Response 3.4.3 (Water Quality) and Response to Comment K-6 regards to current water quality conditions in the Plan area.
- Response 157-5:* Draft EIR pages 4.7-37 through –44 of the Draft EIR document ways in which subsequent development under the Martis Valley Community Plan could impact surface water quality, which includes residential and recreation activities and maintenance. The commentor is referred to Master Response 3.4.3 (Water Quality).
- Response 157-6:* The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project).
- Response 157-7:* The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

08/16/02 17:37

SHUTE, MIHALY

002/026

Letter 158

SHUTE, MIHALY & WEINBERGER LLP

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August 16, 2002

Via Facsimile and Federal Express

Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 B Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report for the Martis Valley
Community Plan

Dear Ms. Lawrence:

On behalf of SierraWatch, Mountain Area Preservation Foundation ("MAPF") and Home Owners Engaged in Local Planning - Northstar ("HELP - Northstar"), we have reviewed the Draft Environmental Impact Report ("DEIR") prepared for the Martis Valley Community Plan ("MVCP" or "Project"). SierraWatch is a California-based non-profit organization formed to assist Sierra-based groups with education and information so that they can participate effectively in local planning processes. HELP - Northstar is based in the Martis Valley and represents local homeowners alarmed at the possibility that without swift action the sensitive habitats and scenic vistas of the Martis Valley may be unnecessarily lost to poorly planned development. MAPF is a Truckee-based group of residents and business owners formed in 1987 to protect valuable open space resources of the Town of Truckee, to protect viewsheds in and around Truckee, and to preserve the unique, small town character of the Town. All three groups are committed to working constructively with the County and other affected jurisdictions to ensure that development in eastern Placer County does not impair the regional environment or the rural character of the Sierra Nevada.

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We submit this letter to state our position that the MVCP violates provisions of state planning and zoning law and that the DEIR does not comply with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code Section 21000 *et seq.*, and the CEQA Guidelines, California Code of Regulations, title 14, Section 15000 *et seq.* ("CEQA Guidelines"). This letter was prepared with the assistance of a professional planner, Terrell Watt, and biologist, Michael D. White. The curriculum vitae for each professional is attached hereto. See Exhibit 1 (Terrell Watt) and Exhibit 2 (Michael D. White).

158-1

In order to provide for orderly development of communities and ensure consistency of land use approvals with central planning principles, state planning law provides for a hierarchy of land use regulations and plans. At the top of the hierarchy is the general plan, which provides policies to guide regional and site-specific land use plans or decisions. The Placer County General Plan contains the central planning policies adopted by the County, and those policies are meant to guide the development of the more detailed community plans for specific regions in the County. The proposed MVCP effectively disregards the policies of the Placer County General Plan in setting forth land use designations for the Martis Valley and in this way violates the core of California land use planning law.

158-2

The land use designations in the MVCP are plainly inconsistent with the planning policies in the Placer County General Plan, which call for concentration of development in existing communities and which provide for the protection of natural resources and the environment of the Martis Valley. The MVCP allows for residential and commercial development far from existing development, in what are largely forested areas, and even creates new "islands" of development. It is not sufficient for the MVCP to give lip service to the in-fill and resource protection policies in the Placer County General Plan by simply repeating similar policies within the MVCP. The Placer County General Plan policies must be given effect in the MVCP where specific land use designations and allowable densities are drawn on the map. We provide a discussion of the MVCP's inconsistencies with the Placer County General Plan in order to provide context for the deficiencies in the environmental analysis in the DEIR and in order to assist the County in identifying alternatives to the proposed MVCP that should be analyzed in the DEIR.

158-3

We also discuss inconsistencies within the MVCP in order to identify inadequacies in the project description in the DEIR. The MVCP contains inconsistent and incomplete information concerning the amount of residential and commercial development allowed under the plan, and the DEIR is similarly flawed. The DEIR also

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omits information regarding other components of the Project and makes assumptions about residency and population that further understate the full amount of development allowed under the MVCP. One example of how the DEIR fails to analyze the amount of development allowed under the MVCP concerns the allowable number of dwelling units. Although the MVCP allows for development of approximately 20,467 dwelling units, the DEIR effectively analyzes the environmental impacts of only 9,220 and in some cases only 1,844 new homes.

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The DEIR is also deficient because it fails to describe adequately the project setting; fails to analyze adequately the Project's impacts on the environment, including growth-inducing and cumulative impacts; improperly defers identification of mitigation measures; fails to identify feasible mitigation measures; and fails to analyze a reasonable range of alternatives to the Project. Together, these defects in the DEIR undermine any effort at informed planning or decision-making as well as environmental review of the Project.

158-5

SierraWatch, MAPF, and HELP - Northstar, request that the County revise the land use designations for the MVCP such that the designations reflect and implement the policies of the Placer County General Plan. The groups further request that the County prepare and recirculate a DEIR for the revised MVCP that fully complies with CEQA.

158-6

I. THE MVCP DOES NOT COMPLY WITH STATE PLANNING AND ZONING LAW.

The MVCP violates provisions of state planning and zoning law requiring consistency among and within land use planning documents. The following summary of deficiencies in the MVCP is not exhaustive, but is meant to provide context for inadequacies in the DEIR and to identify alternative land use designations that should be analyzed in a revised DEIR.¹

158-7

A. The MVCP Is Inconsistent with the Placer County General Plan.

All land use approvals, including community plans must be consistent with the governing general plan, which is the "constitution" for all future development. See

158-8

¹ SierraWatch, MAPF, and HELP - Northstar reserve the right to comment on additional legal deficiencies of the MVCP as the planning process goes forward.

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Leshar Communications, Inc. v. City of Walnut Creek, 52 Cal.3d 531 (1990); *Citizens of Goleta Valley v. Bd. of Supervisors*, 52 Cal.3d 553 (1990). A land use approval is inconsistent with a governing general plan, even in the absence of a "direct" conflict, if it is incompatible with stated goals and policies of the general plan. See *Napa Citizens for Honest Gov't v. County of Napa*, 91 Cal.App.4th 342 (2001).

The MVCP is inconsistent with the Placer County General Plan because it frustrates numerous policies of the general plan which require concentration of development in existing communities and which promote the protection and restoration of natural resources within the County. For example, the land use designations in the MVCP are inconsistent with the following policies of the Placer County General Plan:

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1.A.3. The County shall distinguish among urban, suburban, and rural areas to identify where development will be accommodated and where public infrastructure and services will be provided. This pattern shall promote the maintenance of separate and distinct communities.

The MVCP would transform rural areas of the Martis Valley to suburban use and blur the lines between the communities of Truckee and the Martis Valley and between the Martis Valley and communities on the north shore of Lake Tahoe.

1.B.1 The County shall promote the concentration of new residential development in higher-density residential areas located along major transportation corridors and transit routes.

The MVCP would allow for residential and commercial development away from high-density areas, spread people and development throughout the Martis Valley, and require the construction or expansion of arterials and local roads.

1.M.1 The County shall concentrate most new growth within existing communities emphasizing infill development, intensified use of existing development, and expanded services, so individual communities become more complete, diverse, and balanced.

The MVCP would allow for development throughout the Martis Valley and does not concentrate growth within existing communities or provide for development of complete, diverse, and balanced communities. As discussed below, the MVCP actually exacerbates one of the most serious imbalances facing the Martis Valley—the jobs-

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housing imbalance.

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Policy 6.B.3. The County shall discourage direct runoff of pollutants and siltation into wetland areas from outfalls serving nearby urban development. Development shall be designed in such a manner that pollutants and siltation will not significantly adversely affect the value or function of wetlands.

The proposed land use designations in the MVCP would result in degraded water quality and wetlands in the planning area. The proposed land use designations establish development zones within significant percentages of the sub-watersheds for Martis Creek, East Martis Creek, and Martis Creek Lake and their associated wetland habitats. Urban land uses produce substantial loads of nutrients (nitrogen and phosphorus), metals, oil and grease, and suspended sediments that are carried to downstream waterbodies by runoff from impervious surfaces such as streets and roads, and structures. Golf courses and landscaped parks also contribute significant pollutant loads from applications of fertilizers, herbicides, and pesticides. Many of these chemicals are not easily removed from urban runoff and will be transported to downstream wetlands and waterbodies in the Martis Valley.

158-9

Policy 6.C.1. The County shall identify and protect significant ecological resource areas and other unique wildlife habitats critical to protecting and sustaining wildlife populations. Significant ecological resource areas include: a) wetlands areas including vernal pools, b) stream environment zones, c) any habitat for rare, threatened or endangered animals or plants, d) critical deer ranges (winter and summer), migratory routes, and fawning habitat, e) large areas of non-fragmented natural habitat, f) identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian migratory routes, and known concentration areas of waterfowl within the Pacific Flyway, and g) important spawning areas for anadromous fish.

158-10

The proposed land use designations have the potential to completely alter the biological character and functions of the ecosystems in the Martis Valley. The MVCP area supports or potentially supports all of the significant ecological resource areas and unique wildlife habitat addressed by this policy. The locations and levels of development proposed are inconsistent with the long-term protection of these resources. Proposed development zones fragment large areas of intact forest, threaten wildlife movement routes and deer fawning areas, and eliminate important watershed areas and

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encroach on intact stream and wetland environments in the Martis Valley.

Policy 6.C.2. The County shall require development in areas known to have particular value for wildlife to be carefully planned and, where possible, located so that the reasonable value of the habitat for wildlife is maintained.

The proposed development zones in the MVCP are not appropriately planned with respect to the maintenance of wildlife value. Development zones are located in unfragmented habitat and sensitive watershed areas and encroach on wetland and stream systems. Careful planning dictates that development within these high value habitat areas be avoided and concentrated instead in areas with less habitat value.

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Policy 6.C.6. The County shall support preservation of habitats of rare, threatened, endangered, and/or other special status species. Federal and state agencies, as well as other conservation organizations, shall be encouraged to acquire and manage endangered species habitats.

The development allowed by the MVCP would diminish habitat value for special status species. Several special status species occur or may occur in the MVCP area. The proposed development would preclude the use of Martis Valley as a recovery area for the Lahontan cutthroat trout, diminish habitat value for special status species, and discourage conservation activities by federal and state agencies and conservation organizations.

Policy 6.C.7. The County shall support the maintenance of suitable habitats for all indigenous species of wildlife, without preference to game or non-game species, through maintenance of habitat diversity.

The proposed land use designations will significantly alter the character and functions of several natural habitat types in the MVCP area, thereby diminishing their long-term value to wildlife.

Policy 6.C.8. The County shall support preservation or reestablishment of fisheries in the rivers and streams within the county, whenever possible.

The presence of large-scale residential development and golf courses adjacent to the Martis Valley Creek system would eliminate the opportunity to restore vital spawning and rearing habitat for the endangered Lahontan cutthroat trout in the

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| stream system. | | | 158-12 |
| <i>Policy 6.C.13. The County shall support and cooperate with efforts of other local, state, and federal agencies and private entities engaged in the preservation and protection of significant biological resources from incompatible land uses and development. Significant biological resources include endangered, threatened or rare species and their habitats, wetland habitats, wildlife migration corridors, and locally-important species/communities.</i> | | | 158-12 |
| The proposed land use designations would result in significant degradation of the biological value of the area, resulting in diminished potential for meaningful conservation actions and increasing the complexity of resource management. Several governmental and non-governmental organizations are actively engaged in conservation and management of biological resources in the MVCP area, and the MVCP would substantially impair their ability to achieve important conservation objectives. | | | 158-13 |
| <i>Policy 6.C.14. The County shall support the management efforts of the California Department of Fish and Game to maintain and enhance the productivity of important fish and game species (such as the Blue Canyon and Loyalton Truckee deer herds) by protecting identified critical habitat for these species from incompatible suburban rural residential, or recreational development.</i> | | | 158-13 |
| The land use designations proposed in the MVCP would significantly alter the habitats of important fish and game species. The proposed land use designations would result in significant degradation of movement corridors and fawning areas of the Loyalton Truckee deer herd. In addition, Martis Lake currently has a Wild Trout designation, and the Martis Creek system supports productive trout populations. | | | 158-13 |
| <i>Policy 6.D.6. The County shall ensure the conservation of sufficiently large, continuous expanses of native vegetation to provide suitable habitat for maintaining abundant and diverse wildlife.</i> | | | 158-13 |
| The proposed land use designations would result in substantial loss and fragmentation of native vegetation communities in the planning area. The DEIR acknowledges that these vegetation communities have the potential to support a diversity of wildlife species, including several special status species. | | | 158-13 |

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Policy 6.D.7. The County shall support the management of wetland and riparian plant communities for passive recreation, groundwater recharge, nutrient catchment, and wildlife habitats. Such communities shall be restored or expanded, where possible.

The proposed land use designations would result in the loss and degradation of wetland and riparian vegetation communities in the Martis Creek watershed. The proposed land use designations would result in loss of upland buffer areas in the watershed, consumption rather than recharge of groundwater resources, and increased loading of nutrients from urban and recreational development. Development of additional golf courses in the planning area will also result in drawdown of groundwater resources for irrigation and fertilizer applications.

158-14

Policy 6.D.8. The County shall require that new development preserve natural woodlands to the maximum extent possible.

The proposed land use designations would result in substantial loss and fragmentation of intact woodlands in the planning area.

Policy 6.D.9. The County shall require that development on hillsides be limited to maintain natural vegetation, especially forests and open grasslands, and control erosion.

158-15

The proposed land use designations would allow new development in hillside areas that currently support unfragmented forest habitats. This development will increase erosion of sediments into the Martis Creek system.

Policy 6.E.1. The County shall support the preservation and enhancement of natural land forms, natural vegetation, and natural resources as open space to the maximum extent feasible. The County shall permanently protect, as open space, areas of natural resource value, including wetlands preserves, riparian corridors, woodlands, and floodplains.

The proposed land use designations would allow development in unfragmented forest and along tributaries of the Martis Creek system and associated wetlands and floodplains.

Policy 6.E.2. The County shall require that new development be designed and constructed to preserve the following types of areas and features as

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revised DEIR for such a plan should be circulated to the public.

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B. The MVCP Is Unclear and Inconsistent.

Apart from the requirement that the MVCP be consistent with the Placer County General Plan, the MVCP must also be clear and internally consistent in order to be effective as a planning document or enforceable with respect to limiting development. The land use designations in the MVCP are inconsistent with policies of the MVCP requiring in-fill development and providing for the preservation of natural resources in the Martis Valley. For the reasons discussed above, the land use designations in the MVCP are inconsistent with goals and policies of the MVCP which parallel the above-listed policies of the Placer County General Plan. *See* MVCP Goal 9.D (To protect and enhance the natural qualities of Martis Valley's creeks and groundwater); MVCP Goal 9.E (To preserve and protect the valuable vegetation resources of Martis Valley); MVCP Policy 9.E.1 (To encourage landowners and developers to manage the integrity of existing terrain and natural vegetation); MVCP Goal 9.F (To protect wetland communities and related riparian areas throughout Martis Valley as valuable resources); MVCP Policy 1.A.1 (The County will promote the efficient use of land and natural resources and will encourage "in-fill" development).

158-18

The MVCP also contains inconsistent and incomplete information concerning the amount of development allowed. The MVCP contains inconsistent information regarding the amount of residential development allowed under the plan. The "holding capacity" (or the total number of dwelling units allowed) under the plan is equal to the maximum permitted density (numbers of units per acre) for each land use designation times the number of acres within each designation. *See* MVCP at 30 (defining calculation of holding capacity). The actual holding capacity, which is 20,467 dwelling units, is not provided in the MVCP, but it is provided in the DEIR. *See* DEIR Table 3.0-2 at p. 3.0-20. The MVCP lists only an "adjusted" holding capacity of 9,220 or 9,420 units. *See* MVCP at 29, 30. The MVCP states that the actual or "theoretical" holding capacity has been "reduced" to reflect "the fact that due to market or environmental or other constraints, property rarely develops at the maximum theoretical density afforded by the applicable land use designation." MVCP at 30. The MVCP does not, however, provide any specific policies that would implement the reduced holding capacity (9,220 or 9,420), and the MVCP's intent to assert the reduced holding capacity as an enforceable standard is unclear. Furthermore, the Land Use Diagram and the descriptions of development in the MVCP provide for 20,467 units. *See* MVCP at 25-29, Figure 1.

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With respect to commercial development, the MVCP provides the number of acres allowed for each type of commercial development, but fails to provide for any limit on commercial building height and lot coverage. Thus, the total number of the commercial square feet allowed under the MVCP is unclear, as is the permissibility of high-rise commercial development under the MVCP.

158-19
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The MVCP fails to provide standards and criteria by which development under the plan would proceed as required by state law. The inconsistent and incomplete information in the MVCP concerning the amount of development allowed creates the potential for inconsistency between the Land Use and Circulation Elements of the MVCP. The inconsistent project description in the MVCP also undermines the environmental review of the Project as discussed below.

158-20

II. THE DEIR DOES NOT COMPLY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

A. The Project Description Is Incomplete, Inaccurate, and Inconsistent.

CEQA's most fundamental requirement is that an EIR contain an accurate, complete project description. *See County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185 (1977); *see also* CEQA Guidelines § 15124. Without a complete project description, an agency and the public cannot be assured that all of a project's environmental impacts have been revealed and mitigated.

158-21

The DEIR is flawed from the outset because it rests on an inaccurate, incomplete, and inconsistent description of the Project. The DEIR fails to analyze the environmental impacts of the full amount of development allowed under the MVCP. Instead, the DEIR assumes various reductions in development allowed under the MVCP and analyzes the impacts of only a hypothetical smaller project. The DEIR disregards the potential impacts associated with the development intensities authorized by the MVCP. Moreover, the DEIR does not consistently apply its assumptions regarding development allowed under the MVCP; thus, the project description is not even consistent throughout the DEIR. These problems with the project description so undermine the analysis in the DEIR that a revised DEIR must be prepared and circulated for public comment.

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1. The Project Description Is Incomplete and Understates the Amount of Development Allowed under the MVCP.

CEQA requires an agency to analyze the environmental impacts of the complete project, defined as the "whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." CEQA Guidelines § 15378(a). An agency may not narrow the project description in such a way that minimizes the project's impacts and prevents full disclosure and public review. Courts have routinely found inadequate EIRs that narrow the project description or analyze a smaller project than the one actually proposed. *See e.g., Rural Land Owners Ass'n v. City Council of Lodi*, 143 Cal.App.3d 1013 (1983) (finding inadequate an EIR for a general plan amendment that failed to describe or analyze the full amount of development that would follow annexation of land to the City).

158-22

Instead of analyzing the environmental impacts of the full amount of development allowed under the MVCP, the DEIR in many instances analyzes the impacts of less than one tenth of the residential development and approximately one fifth of the commercial development allowed under the Project. Additional assumptions in the DEIR further understate the environmental impacts of the Project. This approach violates CEQA.

a. Understatement of residential development

The amount of residential development, measured as the number of dwelling units, is one of several components of the project description that quantifies the population-related impacts of the Project on the environment. The DEIR's understatement of the number of dwelling units provided for in the MVCP results in a substantial understatement of the Project's impacts on the environment.

158-23

Although the MVCP would allow development of approximately 20,467 dwelling units, the DEIR analyzes the environmental impacts of a project that would allow development of only 9,220 dwelling units – less than half the number actually allowed. *See* DEIR at 3.0-20. (The DEIR makes additional assumptions that effectively reduce residential impacts even further – to approximately 1,844 units. *See* text below.) The DEIR assumes that the full buildout of 20,467 dwelling units will not occur, but the

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MVCP lacks policies or provisions to justify these assumptions.² The 9,220-unit calculation, referred to as the "adjusted holding capacity," is based on the following unsupported assumptions:

- First, the DEIR assumes that 20 percent of the dwelling units allowed under the MVCP would not be built. See DEIR, Table 3.0-2. The 20 percent reduction is based on an estimate that 20 percent of the acreage in the plan area, across all land use types, would be developed with roads and infrastructure instead of dwelling units. Even if the unsupported estimate of acreage for roads and infrastructure was shown to be reasonable, the assumption that fewer dwelling units would result is not valid because there is no provision of the MVCP that prevents a developer from calculating the allowable number of dwelling units on his or her property based on the total acreage of the property even if a portion of that acreage is devoted to roads and infrastructure. This assumed 20 percent reduction in the number of dwelling units results in a substantial understatement of the amount of residential development allowed under the MVCP and a corresponding understatement of the Project's environmental impacts.
- Second, the DEIR assumes that existing and proposed projects will not be altered or amended in a way that increases the number of dwelling units over the number now existing or proposed, even if the number now existing or proposed is well below the maximum allowed under the MVCP. See DEIR, Table 3.0-2 n.2. This assumption is also flawed because the MVCP does not appear to contain any provision that caps the number of allowable dwelling units per ownership at currently existing or proposed numbers. Additionally, it is not clear that projects actually have been proposed, as the DEIR indicates, for the Siller Ranch, Martis Ranch, and Waddle Ranch properties, and it appears that unit counts for these properties are underestimated. See *id.* For example, for the Siller Ranch property, the DEIR lists the "proposed unit count" as 1,000 units, but more than half of the 2,328-acre property is designated rural residential and low density residential under the MVCP. Even assuming the above-described 20 percent reduction for infrastructure, the residential lands on this property

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² Moreover, even if the MVCP were to contain policies that modified the allowable development densities or land use designations, such policies would have to be clearly drafted to avoid internal inconsistencies in the MVCP.

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would have to be developed at the lowest density to result in a total of only 1,000 dwelling units for the whole property.

- Third, the DEIR assumes that areas designated low and medium density residential would be developed at well below the maximum permitted under the MVCP. For low density residential, the DEIR assumes 3 dwelling units per acre ("du/ac") whereas the allowable density is 1-5 du/ac, and for medium density residential, the DEIR assumes 6 du/ac whereas the allowable density is 5-10 du/ac. See DEIR, Table 3.0-2. There is no provision of the MVCP that prevents low and medium density residential land from being developed at densities at the high end of the allowable ranges set forth in the MVCP. The DEIR provides no support for the low densities of development assumed in the project description.

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Together these assumptions result in an adjusted holding capacity (9,220 units) that is 55 percent lower than the actual holding capacity (20,467 units) allowed under the MVCP and result in a substantial understatement of the environmental impacts of the Project. By itself, this narrowing of the project description is problematic, but it is made even more severe by other deficiencies in the project description described below.

b. Low occupancy percentage and household size assumptions

In describing population-related impacts on the environment, the DEIR also makes assumptions about the percentage of occupancy of dwelling units (the percentage of units that are full-time versus part-time occupied) and household size (the number of persons per dwelling unit) which are too low and result in an understatement of the Project's impacts on the environment. The end result of these assumptions is that instead of analyzing the impacts of the 20,467 dwelling units allowed under the MVCP, the DEIR in many cases analyzes the impacts of only 1,844 dwelling units – less than one tenth the number allowed. Many of the DEIR's analyses of impacts rely on these faulty assumptions concerning occupancy rates and household size and thus are flawed. See e.g., DEIR at 4.4-33, 4.4-34 (estimation of trip rates in the transportation/circulation system); *id.* at 4.11-21 (estimation of needs for law enforcement services); *id.* at 4.11-87 (estimation of demand for parks and recreation).

158-24

The DEIR assumes a percentage of occupancy that is lower than the percentage measured in the 2000 Census. Whereas the 2000 Census found occupancy rates of between 28.8 and 39.8 percent in the Martis Valley and 52.8 percent in the Town of Truckee (see DEIR Table 4.2-7), the DEIR assumes that only 20 percent of the

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dwelling units in the Martis Valley will be permanently occupied. *See* DEIR at 4.0-2, 4.2-16.³ Thus, the DEIR frequently analyzes the environmental impacts of only 1,844 dwelling units (20% of 9,220) even though the MVCP allows for development of 20,467 units.

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Far from supporting the DEIR's assumption of a lower occupancy percentage than measured in the 2000 Census, trends in resort-area real estate indicate that full-time occupancy is on the rise due to an increase in the prevalence of fractional ownerships. *See* Exhibits 3, 4, 5, 6 (Marketing materials for fractional ownership properties in the Martis Valley and Lake Tahoe area). Under a fractional ownership arrangement, homeowners receive an ownership interest in property for certain weeks or months of the year, and fractional ownership interests covering the full year are sold for a subject property. Homes under fractional ownership are more likely to be occupied full-time than second/vacation homes under single ownership. New resort development in the Martis Valley will likely be characterized more by fractional ownership than single ownership, and existing resort development in the Martis Valley may be converted to fractional ownership. Full-time occupancy is likely to increase in the Martis Valley.

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The DEIR's low occupancy percentage assumption also fails to consider other trends leading to more full-time occupancy rates, including the marketing of the Martis Valley as a year-round destination resort, development of conference facilities attracting visitors year-round (including during off-peak seasons), and a potential increase in permanent residency due to the Martis Valley's proximity to the Auburn and Reno employment corridors. *See* Exhibits 4, 7, 8, 9 (Marketing of Martis Valley and Lake Tahoe as year-round resort and plans for conference and other year-round facilities). The low occupancy assumption results in an underestimation of the Project's impacts on traffic, air quality, and demand for public services, among others.

Finally, the DEIR's assumption regarding household size is also too low and results in an underestimation of the Project's impacts. The DEIR uses information from the Census, which is conducted in April, to calculate an average household size of 2.63 persons. *See* DEIR at page 4.2-5. April is between the peak winter and summer seasons, when the number of persons in vacation households is likely to be much higher. The DEIR's household size assumption fails to capture the large household sizes

³ The DEIR assumes 20 percent occupancy of dwelling units for most of its analyses, but occasionally, it waffles on this assumption and assumes full occupancy of the "adjusted" number of units (9,220).

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characteristic of the Martis Valley during much of the year.

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c. Understatement of commercial development

The DEIR understates the amount of commercial development allowed under the MVCP even more severely than it understates the amount of residential development allowed under the MVCP. Allowable commercial development is understated by over 400 percent.

The amount of commercial space allowed under the MVCP is a function of the amount of acreage that may be developed as commercial space as well as floor to area ratios ("FARs") or other measures of commercial building height. The MVCP sets forth the acreage for commercial land use designations but not FARs or other measures of commercial building height and lot coverage (or allowable numbers of stories). Applying the FARs in the Placer County General Plan (which are as high as 2.0) to the commercial land use designations in the MVCP results in 5.6 million square feet of allowable commercial development under the MVCP (or 4.5 million square feet if one assumes a 20 percent reduction for roads and infrastructure). See Table 1.

158-27

Table 1. Commercial square footage.

| | Acres (1) | FAR (2) | sq. ft./acre | Total sq. ft. |
|---|--------------|------------|--------------|---------------|
| General Commercial | 39 | 2.0 | 43560 | 3,397,680 |
| Resort Commercial | 49 | 0.8 | 43560 | 1,707,552 |
| Professional Office | 6 | 2.0 | 43560 | 522,720 |
| Public/Quasi Public | 31 | ?(3) | ? | ? |
| Total | | | | 5,627,952 |
| Total (less 20% reduction for infrastructure) | | | | 4,502,362 |

(1) DEIR Table 3.0-2 at page 3.0-20

(2) Placer County General Plan Table I-2 at page 17

(3) No number available in Placer County General Plan Table I-2 at page 17

The DEIR arbitrarily assumes a FAR of 0.25 for all commercial land use designations and arrives at a "adjusted" commercial square footage allowed under the MVCP of

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approximately 1.1 million square feet (including the 20 percent reduction in for roads and infrastructure).⁴ See DEIR Table 3.0-2; DEIR at 3.0-20, 4.4-31; *see also* Table 2.

Table 2. Adjusted commercial square footage.

| | Acres (1) | FAR (2) | sq. ft./acre | Total sq. ft. |
|---|--------------|------------|--------------|---------------|
| General Commercial | 39 | 0.25 | 43560 | 424,710 |
| Resort Commercial | 49 | 0.25 | 43560 | 533,610 |
| Professional Office | 6 | 0.25 | 43560 | 65,340 |
| Public/Quasi Public | 31 | 0.25 | 43560 | 337,590 |
| Total | | | | 1,361,250 |
| Total (less 20% reduction for infrastructure) | | | | 1,089,000 |

158-27
Cont'd

(1) See DEIR Table 3.0-2 at page 3.0-20.

(2) See DEIR at page 4.4-31.

The DEIR provides no explanation for assuming a 0.25 FAR for all commercial land use designations, and hence for assuming fewer square feet of commercial development than is plainly allowed under the MVCP if one applies FARs from the Placer County General Plan. The DEIR's understatement of commercial development allowed under the MVCP results in an underestimate of the Project's impacts on the environment, including traffic impacts, air quality impacts, and population-related impacts due to employment.

⁴ The DEIR states that 1,190,000 square feet of commercial development is allowed under the MVCP. See DEIR at 4.4-31. However, the formula for the calculation provided in the DEIR results in a total of 1,089,000 square feet of commercial development. See Table 2. The reason for this discrepancy is not clear. The DEIR uses a still different figure (1,169,586 square feet) for commercial square footage in estimating employment that will be generated by the MVCP. See DEIR Table 4.2-12. This figure may result from subtracting existing commercial space from the 1,190,000 figure, though the DEIR does not provide this or any other explanation.

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2. The Project Description Lacks Essential Information.

In addition to the inaccuracies and understatements discussed above, the project description omits information about the Project that is critical to an adequate analysis of project-related and cumulative impacts.

158-28

Remarkably, the DEIR fails to quantify, describe, or assess the number of day trips that would be associated with the buildout of the MVCP. The Martis Valley has several recreational and other facilities that attract day-users to the area (*see* Exhibit 9), and the MVCP makes way for new and expanded such facilities, including new conference facilities, expanded ski areas, and new recreational trails. The DEIR must describe and analyze the impacts of day-users on the environment of the Martis Valley because day-use facilities are a component of the Project.

158-29

The County is in possession of detailed information regarding several proposals for expansion of day-use facilities, having received applications for the Village-at-Northstar and other projects. *See* DEIR at 4.0-7; *see also* Exhibit 9. Thus, the County has sufficient information to prepare a relatively detailed estimate of the number of day-users and day-trips associated with the Project. The DEIR must analyze the impacts that day-users would have on the environment of the Martis Valley, including increased traffic and increased demand for public services.

The MVCP also lacks any description of the impacts of construction activities associated with buildout of the MVCP. Given the fact that the MVCP provides for a quadrupling in the number of dwelling units and additional commercial and other development in the Martis Valley, a high level of ongoing construction will be a fact of life in the valley for years to come. The impacts of construction on residents and on the environment in the region must be described and analyzed. As noted above, the County has applications for several development projects before it and is in possession of information regarding construction impacts associated with those projects. *See* DEIR at 4.0-7 (noting County's receipt of applications for Eaglewood, Hopkins Ranch, Martis Creek Estates, Village-at-Northstar, Coyote Run, Northstar-at-Tahoe Employee Housing, Northstar-at-Tahoe Unit 7A, and Schaeffer's Camp Restaurant). Residents of the Martis Valley already experience significant traffic delays associated with the construction of the new 267 Bypass, the Lahontan project, and the Big Springs development at Northstar. Additional development will add to these existing construction impacts and must be discussed in the DEIR.

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The DEIR fails to describe adequately infrastructure improvements needed to support the development allowed under the MVCP. Such infrastructure improvements are discussed in Section II.C below.

158-31

3. The Project Description Is Not Consistent throughout the DEIR.

The environmental analysis for the MVCP is further undermined by inconsistencies in the project description throughout the DEIR. CEQA requires a consistent and stable project description in order to ensure that an EIR serves as a vehicle for intelligent decision-making and informed public participation. *See County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 197 (1977).

The shifting project description in the DEIR is the direct result of the DEIR's failure to own up to the full impacts of the buildout allowed under the MVCP. The DEIR does not even consistently apply its "adjusted" calculations of residential development. For example, in its analysis of air quality impacts, the DEIR assumes 7,905 dwelling units instead of 9,220 units (again, the MVCP appears to allow 20,467 units) and commercial space of 1,173,000 square feet instead of 1,190,000 square feet (again, the MVCP appears to allow for approximately 5,627,952 square feet). *See* DEIR, Appendix 4.6 (assumptions for air quality analysis). These assumptions result in a further minimization of the project's impacts on air quality. CEQA prohibits shifting project descriptions that minimize a project's actual impacts on the environment. *See City of Santee v. County of San Diego*, 214 Cal.App.3d 1438, 1450 (1989).

158-32

For the foregoing reasons, the DEIR's project description is inaccurate, incomplete, and unstable. These defects undercut the majority of the analysis in the DEIR because the dramatic understatement of the amount of development allowed under the MVCP leads to a substantial understatement of the environmental impacts of the Project. CEQA requires a complete project description in order to ensure that all of a project's environmental impacts are revealed and mitigated. *See id.* The DEIR fails to meet this fundamental requirement of CEQA.

B. The Description of the Project Setting Is Not Adequate.

The DEIR fails to provide an adequate description of the setting for the Project. CEQA requires a description of the physical environment in the vicinity of a proposed project because such a description is necessary to provide the baseline against which to measure a project's environmental impacts. *See* CEQA Guidelines § 15125(a). An EIR's description of the project setting must include a large enough geographic area

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such that the full environmental context of a project is considered. *See* CEQA Guidelines § 15125(c).

Significantly, the description of project setting must include both the local and regional setting. *See* CEQA Guidelines § 15125(a). With respect to the regional setting, special emphasis must be given to environmental resources that are rare or unique to the region and would be affected by the project. *See* CEQA Guideline § 15125(c). CEQA singles out the Lake Tahoe Basin as one of resources in the State which must receive special attention, and directs agencies to consider the consistency of proposed projects with regional plans for the protection of the Lake Tahoe Basin. *See* CEQA Guidelines § 15125(d).

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Despite this clear mandate, the DEIR fails to consider the consistency of development allowed for under the MVCP with plans for the protection of the Lake Tahoe Basin. The DEIR's description of the project setting scarcely mentions the proximity of the Project to the Lake Tahoe Basin (*see* DEIR at 3.0-1), and the DEIR only superficially considers the consistency of development allowed under the MVCP with the Tahoe Regional Planning Agency's environmental thresholds or regional plan.

Martis Valley and Lake Tahoe are closely linked, both geographically (*see* DEIR, Figure 3.0-1 "Vicinity Map"), ecologically, and economically. The Lake is approximately five miles from the Northstar-at-Tahoe resort within the Martis Valley, and the Lake is a destination for many visitors to the Martis Valley. Resorts in the Martis Valley and Truckee advertise their proximity to Lake Tahoe, and visitors to the Martis Valley frequently visit Lake Tahoe for recreational purposes. Recreational use of the Tahoe Basin from visitors to the Martis Valley would result in increased traffic, particularly on Highway 267 over Brockway Summit, increased demand for public services and recreational facilities in the Tahoe Basin, and increased impacts on the environment of the Tahoe Basin, including water quality in the Lake. In addition, impacts to biological and other natural resources in the Martis Valley could have significant indirect effects within the Lake Tahoe Basin. The DEIR must specifically address the consistency of the development allowed under the MVCP with plans for the protection of the Lake Tahoe Basin.

158-34

The DEIR also fails to describe other important aspects of the project setting, including existing biological resources and wildlife corridors, existing levels of public services and resources (including water supply and water usage for snow-making), the existing square footage of commercial development (including "temporary" spaces, such as large tents, that are proliferating at Northstar to accommodate ski rentals and

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other uses), the existing number of day-use trips associated with recreational and other facilities, and the amount (i.e., shortfall) of affordable housing.

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To the extent that the environmental setting for the MVCP is discussed separately for each category of environmental impact (e.g., biological resources, air quality, etc.) in the DEIR, we note additional deficiencies in the description of project setting in the sections below.

C. The DEIR Fails to Analyze Adequately the Project's Significant Impacts on the Environment.

The primary purpose of an EIR is to "inform the public and responsible officials of the environmental consequences of their decisions before they are made." *Laurel Heights Improvement Ass'n v. Regents of the Univ. of Cal.*, 6 Cal.4th 1112, 1123 (1988). Accordingly, an EIR must contain facts and analysis regarding a proposed project's environmental impacts, not just an agency's conclusions. *See Citizens of Goleta Valley v. Board of Supervisors*, 52 Cal.3d 553, 568 (1990). Throughout the DEIR, the County fails to support its conclusions regarding the environmental impacts of the MVCP with appropriate analysis. This approach violates CEQA.

158-36

The level of analysis in the DEIR fails to reflect the project-specific information that is available for many of the development projects contemplated by the land use diagram in the MVCP. As noted above, several applications have been submitted for projects in the MVCP planning area (see DEIR at 4.0-7), and the analysis in the DEIR should reflect the detailed information available for those projects.

158-37

In addition to the problems with the project description, many of the analyses in the DEIR fail to reveal the impacts of the Project on the environment because the Project's impacts are compared, not to actual existing conditions, but to conditions that would have existed had the 1975 Martis Valley General Plan been fully built out. *See e.g.*, DEIR, Sections 4.1, 4.4. This approach fails to reveal the impacts of the Project on the existing environment and violates CEQA.

158-38

1. Land Use

The DEIR fails to analyze adequately the consistency of the MVCP with existing land use plans and zoning designations. A proper coordination of planning efforts requires a careful analysis of the consistency of the proposed project with existing

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land use plans and zoning designations. The perfunctory analysis in the DEIR undermines efforts at coordinated planning and informed decision-making and is not adequate under CEQA.

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Although the DEIR compares the consistency of the land use designations in the MVCP with the five general land use categories in the Placer County General Plan, the DEIR does not analyze the consistency of the MVCP land use designations with the planning policies in the Placer County General Plan. *See* DEIR at 4.1-23 to 4.1-24. This omission is significant. The Placer County General Plan consists largely of policies meant to guide the more specific plans for development set forth in the County's community plans, such as the MVCP. The DEIR's failure to analyze the consistency of the MVCP with policies in the Placer County General Plan is particularly problematic given the serious inconsistencies between the MVCP land use designations and the policies of the Placer County General Plan, as discussed above in Section I.A. The DEIR's mere assertion, that the MVCP is consistent with Placer County General Plan policies (*see* DEIR at 4.1-23), is erroneous and cannot substitute for actual analysis.

158-40

Contrary to the requirements of state law, the MVCP fails to delineate the location of lands designated as timber production zones ("TPZs") within the plan area. *See* Gov't Code § 65302(a) (requiring land use elements to designate "in a land use category that provides for timber production, those parcels of real property zoned for timberland production" pursuant to the California Timberland Productivity Act of 1982). A revised MVCP must include a figure showing the lands designated as TPZs within the plan area.

158-41

In addition, the DEIR fails to analyze adequately the impacts of the proposed MVCP on TPZs in the plan area. In passing the Timber Productivity Act, the legislature sought to discourage removal of forest lands from timber production and to discourage expansion of urban services into timberland. *See* Gov't Code § 51102. The MVCP designates TPZ lands as "Forest" lands and allows uses on "Forest" lands (including employee housing and ski and other recreational facilities) that are not consistent with uses allowed on TPZ lands under state law. *See* Gov't Code § 51104(h) (providing list of uses compatible with TPZs: (1) management for watershed; (2) management for fish and wildlife habitat or hunting and fishing; (3) a use integrally related to the growing, harvesting and processing of forest products; (4) the erection, construction, alteration, or maintenance of utility services; (5) grazing; and (6) a residence or other structure necessary for the management of land zoned as timberland production). The DEIR fails to analyze the inconsistency between the uses allowed under the MVCP and those allowed under state law for TPZs. The MVCP must specifically

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| <p>delineate TPZs within the plan area, and a revised DEIR must analyze the consistency of the MVCP land use designations with legally designated compatible uses of TPZ lands.</p> | | | 158-42 Cont'd |
| <p>2. Population/Employment/Housing</p> | | | |
| <p>The DEIR fails to adequately analyze the Project's impacts on population, housing, and employee housing or to support conclusions regarding these impacts. First, the DEIR lacks basic information needed for the analysis, including information concerning the existing deficit of affordable and employee housing in the region; existing locations of affordable and employee housing for employees working in the Martis Valley; demand for non-employee housing; and trends in year-round occupancy for residents of the Martis Valley. Second, the DEIR largely assumes without analysis that policies in the MVCP will be adequate to address impacts relating to population growth and housing demand created by development under the MVCP.</p> | | | 158-43 |
| <p>In a circular analysis, the DEIR concludes that impacts related to population growth under the MVCP are less than significant because the number of residents in the Martis Valley will not reach the maximum provided under the MVCP. See DEIR at 4.2-16. This analysis, which merely assumes that the maximum number of residents provided for under the MVCP may not materialize, says nothing about whether resulting population-related impacts on the environment, including "direct and indirect environmental effects such as noise, community services, traffic, and air quality" will be less than significant. A meaningful discussion of population-related impacts on the environment would provide an analysis of environmental thresholds, which when exceeded would indicate significant population-related impacts on the environment (e.g., population growth that would require widening of Highway 267 to four lanes, require expansion of public service facilities, or result in exceedance of air quality and water quality standards). Furthermore, other sections of the DEIR demonstrate that the MVCP is likely to have significant population-related impacts:</p> | | | 158-44 |
| <ul style="list-style-type: none"> • Impact 4.4.1: Project development would result in roadway and intersection LOS standards to be exceeded. • Impact 4.4.7: Cumulative development would result in intersection and roadway LOS standards to be exceeded. • Impact 4.5.1: Noise associated with construction activities would result in elevated noise levels that would be in excess of applicable noise standards. | | | |

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- Impact 4.5.5: Cumulative traffic impacts would contribute to elevated noise levels that would be in excess of applicable noise standards.
- Impact 4.9.12: The Project would contribute to the loss of habitat, forage land, habitat degradation, and other species impacts.
- List of significant unavoidable impacts ("SU Impacts") on air quality, regional ozone, regional PM10 emissions, and views due to the Project. See SU Impacts 4.6.1, 4.6.3, 4.6.4, 4.6.5, 4.12.2, 4.12.5.

158-44
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The shortage of affordable and employee housing in the Martis Valley indirectly impacts numerous aspects of environmental quality in the region including degradation of air quality due to employee/commuter traffic. Although the DEIR recognizes that there is a shortage of affordable and employee housing in the Martis Valley, it fails to quantify the shortage or provide an adequate analysis of the exacerbation of the shortage by development allowed under the MVCP. "The current employment trend in Martis Valley is developments that require a seasonal, low paying labor force and exclusive housing that they cannot afford. Developments within Martis Valley will continue to contribute to the regional problem of affordable housing." DEIR at 4.2-12. "The lack of affordable housing has resulted in service workers finding housing outside of the region (e.g., Reno, Sparks, Auburn and North Shore). However, information regarding place of residence that corresponds to place of employment is not readily available, so there is no quantification of the number of employees that reside outside of the Plan area or outside of Martis Valley." DEIR at 4.2-11.

158-45

Instead of analyzing the impact of the Project on the actual shortage of affordable and employee housing in the Martis Valley, the DEIR summarizes the requirements for new affordable units that a state-mandated plan (Regional Housing Needs Plan or "RHNP") would place on the County given the number of dwelling units allowed under the MVCP. See DEIR at 4.2-17. Although this analysis considers whether the County will meet a particular regulatory requirement, it does not explain whether the Project would have a significant impact on the shortage of affordable housing in the Martis Valley and does not describe the additional adverse effects on the environment associated with the shortage.

The DEIR concludes that the MVCP would result in housing impacts by creating an "imbalance between employment and housing." This impact is initially

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identified as a potentially significant impact but is purportedly reduced to less than significant by implementation of MVCP policies and mitigation measures. *See* DEIR Impact 4.2.2, at 4.2-17. Policies and mitigation measures designed to mitigate this impact fail to guarantee that these impacts will be mitigated to a less than significant level because they do not apply to all projects built in the Martis Valley and do not adequately address demand for affordable housing.

For example, Policy 3.A.3, which requires that projects must either build affordable housing or pay an in-lieu fee, would not actually apply to projects contemplated by the MVCP because the mitigation is required only when a project receives an increase in density. *See* DEIR at 4.2-24. Moreover, even if the policy applied, the in-lieu fee option does not guarantee that affordable units will be constructed in the Martis Valley where the low paying jobs will be generated. Similarly, MVCP Policy 3.A.4 requires resort developments to provide only half of the employee housing (or pay an in-lieu fee) that will be generated by new projects. Again, the in-lieu fee provides no certainty that employee housing units will be built in the Martis Valley where they are needed. *See* DEIR at 4.2-25. This is insufficient mitigation for the impacts of resort development. Finally, it is not clear that Mitigation Measure 4.2-2, which would require construction of 5 percent very-low and 5 percent low income housing as a condition of approval on housing developments, would even apply to the proposed Project since the DEIR indicates that is proposed only for alternatives "AA," "AB," and "AC". *See* DEIR at 4.2-26. To the limited extent these policies and mitigation measures would apply to the Project or to Martis Valley developments, they collectively fail to guarantee that any affordable units would be built in the Martis Valley where the demand for affordable employee housing will be generated.

158-45
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The DEIR finds that there will be 4,750 jobs generated by the MVCP and that the capacity of the MVCP to provide housing is only for 2,517 employees. *See* DEIR at page 4.2-20. This imbalance of jobs to housing is significant, but in reality, the imbalance is even greater. Because the DEIR grossly understates allowable commercial development and therefore new jobs generated by the Project, the actual imbalance is likely to exceed that analyzed in the DEIR.⁵ A revised analysis should include revised estimates of job generation based on the total amount of commercial development allowed under the MVCP and revised estimates of affordable housing units that will

⁵ Based on the employee generation rate provided in the DEIR and commercial square footage allowed under the MVCP, over 12,800 jobs would be generated under the MVCP.

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| actually be built in the Martis Valley. Based on those revised figures, a revised analysis should be completed of the lack of affordable housing and the jobs - housing imbalance. | | 158-45 Cont'd |
| 3. Human Health/Risk of Upset | | |
| The DEIR fails to analyze adequately the risk to human health due to use of toxic chemicals associated with the land uses proposed by the Project. Although the DEIR mentions that hazardous materials are used to maintain golf courses (<i>see</i> DEIR at 4.3-2), the DEIR does not discuss other potential sources of hazardous materials due to the Project. The DEIR relies on federal, state, and local standards for control of hazardous materials without describing how these standards would be implemented or how they would mitigate the Project's potentially significant impacts. | | 158-46 |
| 4. Transportation and Circulation | | |
| The DEIR's analysis of traffic and circulation impacts is inadequate because it relies on an incomplete project description, fails to provide an adequate description of existing traffic conditions, and fails to support its conclusions regarding the Project's traffic impacts with adequate analysis. | | 158-47 |
| The DEIR's analysis of traffic impacts is based on a project description that understates the amount of residential and commercial development allowed under the MVCP. <i>See</i> DEIR at 4.4-30 to 4.4-31. Additionally, the traffic analysis rests on low and unsupported assumptions regarding occupancy percentage. <i>See</i> DEIR at 4.4-33. The estimation of trips generated by the Project also omits trips generated by some recreation uses (<i>e.g.</i> ski facilities) and public or quasi-public uses. <i>See</i> Table 4.4-14. Finally, the trip generation estimates do not include events, tournaments, conventions, and other uses of the new resort facilities, ski facilities and conference centers that will attract day-users. The County has detailed information on planned land uses, including conference facilities and ski facilities on which to base these estimates of day trips, and these should be included in the analysis. Although full buildout of the Town of Truckee General Plan is included in the DEIR's trip estimates, those buildout figures do not include major projects, such as Old Greenwood and others, which are now approved or under review. <i>See</i> DEIR at 4.4-36. Even with these significant omissions, the MVCP is anticipated to generate traffic which will exceed established level of service standards at up to eight intersections in the Town of Truckee, and three intersections and two roadway segments in Placer County. <i>See</i> DEIR at 4.4-39. The traffic analysis must be revised to reflect the full impacts of the Project. | | 158-48 |

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The DEIR fails to provide adequate information about the existing status of key intersections in the Martis Valley. Anecdotal information indicates that the intersection of Highway 267 and Northstar Drive is already a major bottleneck during ski season peak hours. The bottleneck creates unsafe conditions on Highway 267 and results in a back-up of cars and buses, often resulting in significant delays. This existing condition presents both a safety hazard and a potential capacity constraint that should be considered in the DEIR and in developing appropriate mitigation and alternatives to the Project. Additionally, the DEIR provides insufficient information concerning current reasons for traffic congestion, including incidents of accidents, road closures, and snow conditions, all of which make the road capacity situation even more limited than described. The DEIR must contain more complete information on the constraints to roadway capacity and, in particular, the lack of adequate capacity in the communities along the north shore of Lake Tahoe.

158-49

The DEIR's study area for the traffic analysis is too small. The analysis should include at least the area north shore of Lake Tahoe from Incline to Tahoma, the Highway 89 corridor from Tahoe Vista to Truckee, and the Highway 80 corridor from Auburn to Reno. These areas are both likely attractions for visitors to Martis Valley, as well as likely areas for employees to reside if adequate housing is not provided as part of the Project.

158-50

The DEIR relies on baseline traffic data from *Traffic Volumes on California State Highways* (Caltrans, 1990-2000). See DEIR at page 4.4-8. The DEIR should clarify how the baseline traffic conditions accurately reflect the most current conditions for peak periods. The existing traffic volumes were "estimated" for the thirtieth (30th) highest winter and summer peak-hour conditions. See DEIR at 4.4-10. The 30th highest conditions are not acceptable for analyzing expected traffic impacts. The DEIR must analyze winter and summer peak-hour conditions that are likely to occur. For example, at a peak hour during the winter season, how bad will traffic be? The DEIR must analyze traffic conditions under reasonably expected scenarios.

158-51

The DEIR fails to analyze the significant impacts associated with necessary roadway widenings and new roads to serve the Project (e.g., Highway 267, Northstar loop road, and other secondary roads). The Preliminary Draft Plan included both widening of Highway 267 and a connection of Schaeffer Mill Road to Northstar Drive. The current MVCP and the DEIR provide for widening of Highway 267. See MVCP at 73-74; DEIR at 4.4-38, 4.4-39. The MVCP and DEIR are less definitive about other roadway connections that could be developed within the Plan area, such as the connection of Schaeffer Mill Road to Northstar Drive. While this connection is now proposed as an

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| emergency access only, there is no reason it could not be paved in the future. | | | 158-52 Cont'd |
| <p>The DEIR must clearly identify the amount of new development that would trigger widening of existing roads or addition of new roads and must also analyze the impacts of such expansions. Tony Lashbrook, Director of Community Development for the Town of Truckee, has been quoted in the <i>Sierra Sun</i> saying that: "Development would have to be reduced 90% from the current plan to avoid 'four-laning' 267. <i>Sierra Sun</i> Volume 134, No. 32, "Martis Talk Continues." The impacts of roadway expansions include growth inducement, fragmentation of habitat, disruption of wildlife corridors, and construction impacts (e.g., additional traffic generated by construction vehicles and temporary road closures and diversions to accommodate construction), among others.</p> | | | 158-53 |
| <p>The DEIR fails to analyze potentially significant parking impacts within communities along the Northshore. This area will continue to be a major attraction and parking is already limited at recreation and retail areas in the area. Summer visitors to Martis Valley in particular are likely to visit the Northshore area as day users, which means they will increase demand for those parking facilities.</p> | | | 158-54 |
| 5. Noise | | | |
| <p>The noise analysis is based on the traffic estimates prepared in the DEIR. As explained above, the trip generation estimates in the DEIR are based on flawed assumptions and are likely to be too low. Thus, the analysis of noise impacts is also based on flawed assumptions and is likely to understate the Project's impacts.</p> | | | 158-55 |
| 6. Air Quality | | | |
| <p>The DEIR's analysis of the Project's impacts on air quality is based on even lower assumptions about residential and commercial development than are contained in other sections of the DEIR. See DEIR, Appendix 4.6. In the air quality analysis, the DEIR uses an estimate of 7,905 dwelling units (as opposed to 9,220 units) without explanation. Similarly, a different square footage of commercial development is assumed (1,173,000 square feet as opposed to 1,190,000 square feet) without explanation. This inconsistency in assumptions undermines the accuracy of the air quality analysis and the consistency of the project description throughout the DEIR. Given the assumptions in the air quality analysis, it appears that the Project's impacts on air quality are understated.</p> | | | 158-56 |

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The DEIR does not provide a clear description of the remaining inputs into the air quality analysis. Some inputs to the analysis were apparently provided by the transportation consultant, but those inputs are not fully set forth in the DEIR. This omission prevents comparison of the consistency of the information in the air quality and traffic sections of the DEIR. However, assuming that the air quality analysis relies on the underestimate of trip generation in the traffic analysis, the air quality analysis further understates the Project's impacts on air quality for this additional reason. A revised DEIR must make the assumptions in the air quality analysis transparent and consistent with assumptions regarding development in the rest of the DEIR.

158-57

The cumulative air quality analysis is also flawed. See DEIR at 4.6-19. The analysis in the DEIR is based on proposed and conceptual development in Table 3.0-1 and Figures 3.0-4, 4.0-1 and 4.0-2, which do not include all cumulative projects within an adequate study area.

158-58

7. Hydrology and Water Quality

The DEIR's analysis of the Project's impacts on hydrology and water quality is inadequate because it fails to consider impacts from some components of development allowed under the MVCP, fails to describe adequately the project setting and generally fails to quantify the Project's impacts on water quality.

158-59

The DEIR fails to provide information about the Project that is necessary to an analysis of water quality impacts, including total acres of impervious cover, total acres of graded cover, and total acres of land alteration due to grading, tree removal, and trail construction. The total amount of acreage subject to alteration is underestimated throughout the analysis because it appears that ski terrain expansions are not included in the total. Although the methodology section states that proposed ski terrain expansions were considered in the impact analyses (see DEIR at 4.7-29), the individual analyses of impacts state that proposed ski terrain expansions at Northstar were not taken into consideration. See DEIR at 4.7-30. The DEIR states that approximately 4,300 acres of the Plan area are anticipated to be substantially disturbed with urban levels of development, but this total fails to account for land disturbance associated with all components of the Project or land disturbance associated with both construction and operation periods. See *id.*

158-60

The DEIR's description of the project setting is inadequate because it lacks the following components:

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| <ul style="list-style-type: none">• A description of the entire Truckee River watershed. <i>See</i> DEIR at 4.7-1. The project setting must include the regional setting, including the full extent of the Truckee River watershed extending to Pyramid Lake. <i>See</i> Exhibit 10 (map of Truckee River watershed). Sediment and pollution loading throughout the watershed have the potential to impact biological resources and water quality within the Martis Valley. | 158-61 | |
| <ul style="list-style-type: none">• Complete water quality information for the study area. For example, both historical and current water quality information must be provided for the major creeks in the area and the Martis Creek Lake Reservoir. The Lahontan Regional Water Quality Control Board ("LRWQCB") collects water quality data for numerous locations in the Martis Valley. This information must be included in a revised DEIR and additional commentary provided concerning the status of water quality in the various water bodies including the Martis Reservoir and numerous creeks in the Valley. | 158-62 | |
| <ul style="list-style-type: none">• An adequate description of the connection between the upper and middle/lower aquifers. <i>See</i> DEIR at 4.7-15. The DEIR suggests both that there is some interaction between these aquifers (<i>see</i> DEIR at 4.7-15) and that this interaction appears to be limited (<i>see</i> DEIR at 4.7-55). The DEIR must provide information about the extent of this interaction and the extent of the interaction between these aquifers and surface water bodies (e.g., the Martis Reservoir). Absent this information, analysis of potential ground and surface water impacts associated with the project cannot be complete. | 158-63 | |
| <ul style="list-style-type: none">• A description of the existing acres of impervious surfaces, including buildings, roads, parking lots, and turf grass on golf courses. The setting fails to describe baseline runoff conditions and peak runoff figures from which to base a determination of whether runoff will increase significantly from baseline conditions. The DEIR also fails to provide evidence that existing golf course management and monitoring programs are working. Anecdotal evidence suggests that the existing golf courses are contributing to reduced water quality in streams in Martis Valley. | 158-64 | |
| <ul style="list-style-type: none">• One of the recurring problems with the DEIR's analysis of the Project's impacts on water quality is that it does not provide any information about the pollutant loads resulting from the construction or buildout of the Project. In the absence of some comparative or absolute calculation of the Project's discharges to watercourses, the | 158-65 | |

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DEIR's analysis is incomplete.

158-65
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The DEIR's analysis of the Project's construction impacts on water quality fails to provide any quantification of the impacts of grading and vegetation removal activities except to report that approximately 4,300 acres are anticipated to be substantially disturbed.⁶ See DEIR at 4.7-30. There is no estimate of actual soil disturbance, or cut and fill, beyond this measure. The DEIR notes that this amount of construction could contribute substantially to erosion and sediment load in the Martis Creek, but fails to analyze this increase in sediment load in light of the DEIR's observation elsewhere that "existing sediment loads for the Martis Creek drainage must be reduced by 189 tons" in order to meet expected regulatory limits (total daily maximum loads or "TMDLs") See DEIR at 4.7-8. The DEIR must analyze the degree to which construction impacts would interfere with attainment of required reductions in sediment load.⁷

158-66

The DEIR's analysis of the Project's impacts on surface water quality is flawed for a number of reasons. First, the analysis fails to include ski terrain expansions. See DEIR at 4.7-37. Second, there is no quantification of impacts, only a summary of the types of contaminants that could be generated by the project (e.g., sand from snow removal, oils, grease, golf course fertilizers, herbicides, and pesticides). See *id.* There is no extrapolation based on existing uses as to the amounts of pollutants new uses might generate. Additionally, there are up to five new golf courses proposed in the Martis Valley and two new courses proposed in Truckee. As a component of operational surface water quality, the DEIR must analyze the potential impacts of several new golf courses in a system that is already impacted by golf courses and other development. A revised DEIR must include this information and a revised analysis of project-related impacts to surface water quality.

158-67

⁶ As noted above, the 4,300 acres does not include the total acreage of land disturbance due to the Project.

⁷ The section fails to quantify the amount of pollutants that will be generated by refueling and parking of construction equipment and other vehicles during construction. The DEIR states that "improper handling, storage, or disposal of fuels and materials or improper cleaning of machinery close to Martis Creek could cause water quality degradation." No additional information is provided on the types or amounts or typical releases for a project of this scale. A revised DEIR must provide this information and analysis of the project-related construction impacts.

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The DEIR's analysis of groundwater quality impacts is also flawed. Again, the DEIR fails to adequately describe and quantify sources of groundwater pollutants. The DEIR refers to the possibility that new septic tanks could result in groundwater contamination, but fails to quantify the impacts of septic systems that could result if the MVCP is adopted. The DEIR also provides no quantification of the impacts of discharges from golf courses and snow-making facilities on groundwater quality. A revised DEIR must include this information and a revised analysis of project-related impacts on groundwater quality.

158-68

The DEIR fails to adequately describe the Project's cumulative impacts on water quality. The geographic study area for cumulative impacts fails to include the entire Truckee River watershed. Sediment, nutrients and pollution from the Project could impact water quality and biotic resources in the Truckee River and Pyramid Lake. The DEIR fails to quantify cumulative water quality impacts. The cumulative impact analyses for recharge and groundwater usage are inadequate because the discussion lacks any quantification of cumulative recharge and groundwater usage. The DEIR states that reductions in groundwater discharge to surface water (the Truckee River) as a result of the Project would be offset by increased discharges of approximately 11,000 acre feet annually from the Tahoe-Truckee Sanitation Agency's plant expansion as well as improved timing and magnitude of seasonal river flows and enhanced flows for consumptive environmental and fishery uses associated with the implementation of Truckee River Operation Agreement ("TROA"). See DEIR at 4.7-70. Given the fact that TROA has yet to be fully negotiated or analyzed, there is no basis to assume enhanced flows from its implementation. The DEIR's discussion also fails to consider whether the water quality of these offsetting discharges will be as good as the groundwater source.

158-69

The DEIR fails to describe and quantify the relationship between the proposed land uses and water quality. The revised DEIR must examine the development provided for in the MVCP and examine alternative land uses that would result in lower impacts on water quality in Martis Valley.

158-70

8. Geology and Soils

The project description omits key information about the project necessary to determine the extent of the Project's impacts to geology and soils, including information about where major excavation or fill will be needed to accommodate development; where cut and fill spoils sites would be located; and whether any blasting would be needed for proposed development projects in the MVCP area.

158-71

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Although the DEIR states that there has been no extensive geologic subsurface investigation in the MVCP area (*see* DEIR at 4.8-25), detailed cut and fill and geological information has been submitted with project applications for projects at Northstar, Hopkins Ranch, Eaglewood, and other sites within the Martis Valley. In addition, the DEIR could use information available from EIRs for previously approved projects in the Martis Valley. Information that is available regarding estimates of cut and fill must be analyzed in the DEIR, and the DEIR must certainly analyze areas where major excavation or fill would occur to accommodate development.

158-72

The description of geological setting omits essential information regarding areas of highly erodible soils and geologic instability. A map depicting areas of erodible soils and instability, overlaid by proposed land uses, should be prepared. The Martis Valley contains highly erodible soils. *See* DEIR at Table 4.8-2 and Figure 4.8-3. The DEIR states that the Project could result in potentially significant soil erosion impacts due to grading. *See* DEIR at 4.8-30. Once again, this conclusion is based on an underestimate of the total area disturbed by grading.² It is not clear whether the analysis includes grading and site disturbance from widening of Highway 267 or development of recreational trails and ski facilities. A revised analysis must include grading disturbance and soil erosion from all components of the Project.

158-73

The DEIR concludes that development under the MVCP may result in placement of structures and residents in areas that could be exposed to avalanches (*see* DEIR at 4.8-37), but the DEIR fails to adequately analyze potential hazards associated with avalanches. The analysis fails to analyze the potential for new ski terrain expansions and trails in avalanche prone areas. The policies and mitigation measures that purportedly reduce this potentially significant impact to less than significant merely postpone the analysis until new development is actually proposed. Furthermore, Mitigation Measure No. 4.8.4, which requires new development located within areas of 30 percent slope to prepare an avalanche hazard report, appears to contradict the implementation program in the MVCP that prohibits development on slopes over 30 percent. *See* DEIR at 4.8-36; MVCP Implementation Program No. 7. The DEIR must analyze the extent to which the MVCP would result in development that is on highly erodible soils and on slopes over 20 to 30 percent.

158-74

² The 4,300 acres does not include grading for new ski terrain expansions.

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158-74

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9. Biological Resources

The DEIR's analysis of the Project's impacts on biological resources is inadequate because it relies on an incomplete project description, fails to provide an adequate description of the project setting, and fails to support its conclusions regarding the Project's biological impacts with adequate analysis.

158-75

The project setting information is inadequate to fully address the direct, indirect, and cumulative impacts of the proposed Project and to evaluate whether the Project is in compliance with existing Placer County General Plan policies. Specific examples include:

- The DEIR describes field investigations conducted "intermittently from May 2000, during preparation of the background report, to July 2001." These field investigations included "general plant and wildlife surveys focusing on areas within the planning area with the potential to support special status species and sensitive habitats." However, none of these results are discussed. The information presented in Section 4.9.1, and in subsequent analyses, is apparently based on existing information from the California Natural Diversity Data Base, U.S. Fish and Wildlife Service, and U.S. Forest Service. The referenced field investigations may or may not have been adequate in coverage or timing to detect special status species in the planning area. There is inadequate information presented in the DEIR to evaluate the adequacy of either the existing information or the surveys conducted specifically for the project. In addition, there is no discussion of the potential for various portions of the planning area to support sensitive species, high quality wildlife habitat, or unique assemblages of resources that may be especially important for protection.
- The DEIR does not discuss or identify locations of existing protected areas in the region, locations of old growth forest stands, relevant fire history information, or areas of existing disturbance, which may affect where development and, conversely, habitat conservation should be planned. The descriptions in Section 4.9.1 should be broadened to include information from the region surrounding the MVCP area, to provide the appropriate context for resource and development planning.

158-76

158-77

The DEIR's analysis of the biological impacts of the Project is also flawed:

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- The impact analysis is circular. Development impacts that conflict with existing County policies are identified as potentially significant, but deemed mitigated by existing County policies, with no discussion of the inconsistency. There is no clear demonstration of how mitigation of specific impacts to specific resources will be achieved by the application of these policies. Therefore, the potential success of the suggested mitigation measures is difficult to assess. In addition, given that funding for mitigation measures will be derived largely from development fees, analyses should be conducted to determine the level of funding necessary to fully mitigate potential future impacts. 158-78
- The biological impacts analysis should evaluate specific resources in both a local and a regional context. There is no "big picture" evaluation of how the resources relate to one another and the relative value of vegetation communities and wildlife habitat in or adjacent to the planning area. For example, the National Forest lands that surround the community planning area support resources that may also depend on habitats in the Martis Valley area. Furthermore, there is no discussion of the ecological processes that maintain these resources (e.g., migrations or other movements of species, fire cycles, natural hydrologic regimes, etc.) and how the proposed project might affect these processes. 158-79
- There is minimal description and no analysis of unlisted wildlife species. According to the DEIR, standards of significance should include "substantial impacts to significant ecological resources including high quality and/or unique vegetation communities and wildlife habitats." High quality and unique wildlife habitats are critical to sustaining plant and animal resources, and their importance is referenced in the County GP policies (e.g., Policy 6.C.1). These habitats should be identified, and potential impacts to these resources should be analyzed in the DEIR. 158-80
- The manner in which the direct impact acreages are calculated and presented is inappropriate, confusing, and misleading. Impacts of potential timber production are not evaluated in the Biological Resources section of the DEIR. The DEIR states "forest parcels are considered separate impacts from those caused by implementation of the Martis Valley Community Plan." This is an inappropriate approach, given that changes to the extent 158-81

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| Lori Lawrence August 16, 2002 Page 36 | <p>of forest designations in the planning area are proposed as part of the project. Figures 4.9-6 through 4.9-9 show tabulations of the acreages of open space, forest, and development associated with each alternative. However, some development and associated infrastructure is allowed in forest parcels, and disturbance from outdoor recreation (e.g., ski runs) is allowed in open space parcels. Areas zoned for Timber Production should be identified, and the implications of this zoning should be discussed in more detail. Furthermore, there likely will be roads and other infrastructure in areas designated as open space. Thus, the total acreage in the development category is an underestimate of the direct impacts to biological resources in the planning area.</p> | 158-82 |
| | <ul style="list-style-type: none">• The discussion of indirect impacts, which in many instances can be more extensive than the direct impacts of development, is extremely weak. Indirect impacts can extend a large distance outside of the planning area. Indirect impacts that should be addressed include air quality changes (e.g., increased nitrogen deposition), hydrologic changes (e.g., runoff from development), water quality changes (e.g., fertilizer runoff from golf courses), increased light, increased noise, increased potential for increased abundance of non-native species, elevated road mortality, changes in fire regimes, and other impacts associated with increased human presence. The overall sustainability of the level and type of proposed development in this area, which is valued for its aesthetic, recreational, and natural resources qualities, should be evaluated with these potential impacts in mind. | 158-83 |
| | <ul style="list-style-type: none">• Various categories of open space should be clearly defined. It is not clear from the proposed Land Use diagram whether the open space is proposed to remain in a natural condition or will be recreational open space consisting of golf courses and ski runs. | 158-84 |
| | <p>The analysis does not address the consistency of the proposed project and alternatives with the Placer Legacy Program and relevant Natural Community Conservation Planning ("NCCP") Act guidelines. The cumulative impacts of the proposed project and alternatives on vegetation communities, wildlife and their habitats, special status species, habitat linkages and wildlife movement corridors, and other sensitive ecological resources are not adequately discussed or analyzed in the context of the goals of the Placer Legacy Program. Areas of eastern Placer County that are of particularly high integrity, long-term conservation value, or are otherwise unique and</p> | 158-85 |

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| valuable, both within and adjacent to the planning area, should be identified in the DEIR, as specified in the County's NCCP Agreement. Development should be encouraged in lower value resource areas and discouraged in higher value resource areas. This lack of analysis potentially threatens the success of conservation planning efforts in Placer County. | | 158-85 Cont'd |
| The DEIR omits analysis of several potential biological impacts of the Project: | | |
| <ul style="list-style-type: none">The DEIR does not address the fact that connections between fawning areas and overwintering areas outside of the Martis Valley are largely eliminated by the MVCP. The DEIR does not analyze the implication of this impact to the long-term productivity and persistence of the Loyalton Truckee deer herds. | | 158-87 |
| <ul style="list-style-type: none">The DEIR does not address the incremental reduction in the potential for recovery of special status species, such as the Lahontan cutthroat trout and wolverine. The fragmentation and loss of important watershed habitat for the Martis Creek system would greatly reduce the potential for recovery of these species in the planning area. | | 158-88 |
| <ul style="list-style-type: none">The DEIR does not address the direct, indirect, and cumulative impacts to old growth stands in and adjacent to the community planning area. The DEIR should examine the function of these habitats relative to other old growth stands in the region. | | 158-89 |
| <ul style="list-style-type: none">The DEIR does not address the cumulative impacts of increased development and increased recreation on the surrounding National Forest lands, the Tahoe Basin, and the ecoregion. | | 158-90 |
| For the foregoing reasons the DEIR's analysis of the Project's biological impacts fails to comply with CEQA. A revised DEIR must be prepared with an expanded discussion of the biological setting to identify natural areas that are particularly unique, sensitive, or are otherwise of high quality, as well as natural areas that are disturbed, degraded or exhibit lower quality. Sound planning principles would target these latter areas for development (e.g., disturbed areas around existing Northstar ski runs or degraded areas adjacent to existing roads and developments) and cluster new development around existing development and infrastructure. | | 158-91 |

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A revised impact analysis must include an analysis of impacts to biological resources in areas identified as Forest land use. An adequate biological analysis would also evaluate the Project's impacts on vegetation communities in the Martis Valley and within a larger ecological region and on the maintenance of areas of high quality habitat both within and outside of the MVCP area. A revised DEIR must also consider mitigation measures that do take into account the entire life cycle of a particular species, all of the habitat elements that the species requires, and whether or not some of these elements may be limiting to the species. The indirect effects of the proposed Project, both within and outside of the MVCP area, must be analyzed in greater detail. Indirect impacts are often more extensive than the direct impacts of the development footprint, and their implications to the long-term persistence of high quality natural resources in the Martis Valley may be profound.

158-92

10. Public Services-Wastewater Treatment

The DEIR's conclusion, that the Project's impacts on wastewater service would be less than significant, is not adequately supported by analysis in the DEIR. Like other sections of the DEIR, the wastewater section fails to base its analysis of impacts on the complete Project.

158-93

The DEIR assumes only 9,220 dwelling units and its assumption regarding occupancy percentage is unclear. See DEIR at page 4.11-57. More significantly, the DEIR's analysis omits consideration of wastewater flows from non-residential uses. The DEIR states that "it is difficult to assess the [wastewater] impacts of the commercial, office and recreational uses associated with the Proposed Land Use Diagram," and the DEIR appears not to include these uses in the analysis. DEIR at 4.11-57. A revised analysis must include wastewater flows from non-residential uses in the analysis.

158-94

The DEIR states that the wastewater flows generated by residential uses associated with the MVCP would necessitate expanded wastewater treatment plant capacity. Since the DEIR underestimates the wastewater flows generated by the Project, the DEIR likely underestimates that required expansion of capacity. Moreover, anticipated plant expansion may not be sufficient to accommodate development under the MVCP because: (1) plant expansion is not anticipated to be completed until 2005, while plant capacity will be reached in 2004 (see DEIR at page 4.11-52); (2) it is not clear that the plant expansion is completely funded and permitted (see DEIR at page 4.11-53); and (3) the analysis fails to consider conversions from septic to sewer within the region. Subdivisions within the Town of Truckee, including Olympic Heights, Prosser, portions of Sierra Meadows, The Meadows, and Ponderosa Ranchos, are currently using

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| individual septic systems, but the Truckee Sanitation District may extend sewer service to these subdivisions in the future. Finally, it is not clear that planned expansion would accommodate the 20,467 units allowed under the MVCP. | 158-95 Cont'd | |
| The DEIR also fails to adequately analyze other potential demands on wastewater treatment facilities. For example, Northstar's collection system is designed to transmit wastewater flows for up to 3,700 residences. See DEIR at page 4.11-54. However, non-residential and day-use facilities may add additional wastewater flows. Northstar attracts over 9,000 skiers on peak days. Currently, we understand that Northstar has insufficient toilets to serve the day-use population. Constraints at Northstar should be clarified in a revised DEIR. | 158-96 | |
| The DEIR also fails to analyze potentially significant impacts associated with expansion of wastewater treatment facilities. Additional lines, improvements to the Truckee River Interceptor, and treatment plant lagoons are not sufficiently described to allow an adequate analysis of the impacts associated with their development. | 158-97 | |
| 11. Public Services-Water Supply | | |
| The DEIR's analysis of the Project's impacts on water supply fails to comply with the requirements of CEQA. An EIR must identify the water supply for a proposed project and analyze whether the water supply is adequate to meet demand from the proposed project and current users. If the proposed project would require withdrawals from other sources or expansion of existing facilities, the EIR must assess the environmental impacts of those withdrawals or expansion. See <i>Stanislaus Natural Heritage Project v. County of Stanislaus</i> , 48 Cal.App.4th 182 (1996). The DEIR's analysis of water supply fails to meet CEQA's requirements. | 158-98 | |
| First, the DEIR's analysis of water demand created by the MVCP appears to rely on assumptions that understate the amount of development allowed under the MVCP. See DEIR at Table 4.7-4, page 4.7-55. The water demand figures in Table 4.7-4 appear to grossly underestimate water demand based on an underestimate of dwelling units and square footage of commercial development allowed under the MVCP and an underestimate of new snow-making and other open space water demands (e.g., golf courses and landscaping). A revised analysis must include all components of the Project contributing to water demand. | 158-99 | |

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Second, the DEIR fails to analyze adequately the water supply for the Project. There are a number of reasons to be concerned about the long-term supply and suitability of local water supplies.

158-100

Regarding suitability, the DEIR states that the Truckee-Donner Public Utilities District ("TDPUD") is no longer using a number of springs due to water quality concerns. *See* DEIR at page 4.11-41. Recently, the Glenshire area suspended use of wells and will be provided with water service by the TDPUD due to arsenic levels in the Glenshire wells. The DEIR fails to provide adequate information concerning these existing and potential water quality problems, such as contamination by MTBE.

158-101

Regarding supply, the DEIR contains conclusory statements regarding the availability of water to meet the demands of development allowed under the MVCP (*see* DEIR at page 4.11-47). Elsewhere, the DEIR indicates that plans for future water facilities necessary to serve the Project would be developed. *See* DEIR at page 4.1-39. Conclusory statements and future plans are not sufficient under CEQA. The DEIR must demonstrate that there is sufficient water supply for the Project. Also, there is no analysis in the DEIR that demonstrates that there is adequate groundwater supply to meet demand within a "safe yield" consistent with protection of aquifers and surface waters in the Martis Valley.⁹

158-102

Third, the DEIR fails to analyze the impacts of major new facilities or sources of supply needed to serve the Project. The DEIR fails to describe the impacts associated with the need for new pipelines, wells and storage facilities that will be required by the MVCP. The DEIR identifies some of the new water facilities and infrastructure that will be needed to serve new development but fails to analyze the impacts of these new facilities and infrastructure. DEIR at page 4.1-40. It is unclear whether new development at Northstar will be served by existing water facilities. *See* DEIR at page 4.11-43. A revised DEIR must include a clear description of the facilities needed at Northstar to serve new development. The environmental impacts of new facilities or sources of supply include impacts to biological resources and water resources and must analyzed in the DEIR.

158-103

Finally, the DEIR concludes that a number of Plan policies and mitigation

158-104

⁹ The DEIR fails to consider changes in the hydrologic regime of the Valley due to global warming which could influence the seasonal availability of surface water and groundwater in the region. *See* Exhibit 11 (U.S. EPA, Global Warming Impacts.)

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measures will reduce the significant water supply impacts associated with the Project to less than significant. The MVCP policies and DEIR mitigation measures defer the demonstration of adequate water supply to a later date as specific development projects are proposed. See DEIR at 4.11-49. This approach is not adequate under CEQA. A revised DEIR must demonstrate that there is sufficient water to serve existing and proposed development under the MVCP. A revised DEIR must also analyze the environmental impacts associated with developing and delivering adequate water supply to the Project.

158-104
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12. Public Services-Law Enforcement, Emergency, and Fire Protection

The DEIR's analysis of the Project's requirements for law enforcement, emergency, and fire protection services are also based on assumptions that understate the size of the population generated by development allowed under the MVCP. See DEIR at Section 4.11. It is clear that some development allowed under the MVCP would be located outside existing service district boundaries, and service areas would have to be expanded. See DEIR at pages 4.11-7. However, the degree to which new services would be required to serve the Project and how those needs would be met is unclear in the DEIR.

158-105

The DEIR's analysis of fire protection services in the event of wildland fires is particularly lacking. The DEIR lacks a map indicating what portions of the Martis Valley are subject to high fire danger. The DEIR provides insufficient information concerning recent major wildland fires in the Martis Valley, such as the Martis Fire of June 17 2001, which burned 14,500 acres. The DEIR lacks any description of existing constraints that could impede access to or evacuation of the area despite noted bottlenecks at Highway 267/Northstar Drive and other locations. The DEIR also fails to describe the capacity of existing fire services, including California Department of Forestry ("CDF") to handle existing wildland fires.¹⁰ The DEIR's analysis lacks information about the amount of new development that would be located in steep topography and on ridgelines even though topography determines how fast fire spreads and how easily fire crews can access the site. See Exhibit 12 (*Living with Fire In San*

158-106

¹⁰ The DEIR is inconsistent with respect to statements about what service provider is responsible for addressing fires. DEIR at page 4.11-8. The two DEIR sections that address fire, fire services and wildland fires, must be reconciled and clear information provided about which agencies are responsible for fire impacts.

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Mateo County, A Guide for the Homeowner).

The DEIR concludes that the impact of the Project on wildland fire risk would be less than significant without mitigating policies, but there is little evidence to support this conclusion. *See* DEIR at 4.11-11. The MVCP would allow homes and other structures on wooded and steep terrain and would thus increase the risk for wildland fires. The DEIR also fails to analyze secondary impacts related to reducing the risk of wildland fires, such as removal of vegetation around development, building access roads, and extension of water facilities. These types of measures, even if not required by the Project, may be required by the County or other agencies as conditions of individual project approval and should be analyzed in the DEIR.

158-106
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13. Visual Resources

The DEIR's analysis of the Project's impacts on visual resources fails to include key features of the MVCP. Although the DEIR recognizes that new development, such as widening Highway 267 and development of additional ski areas, golf courses and recreational trails, would impact the visual quality of the Martis Valley, the DEIR states that these developments are not part of the Project. *See* DEIR at 4.12-14, 4.12-16. It is not clear why these developments are not part of the Project. The MVCP anticipates widening of Highway 267 to four lanes over some segments within 20 years. *See* MVCP at 73-74. Moreover, the MVCP sets forth the land use designations governing land uses throughout the Martis Valley and sets the parameters for growth in the area, which influence the need for new roads and infrastructure. Thus, the DEIR must consider the significant visual impacts of new infrastructure, ski facilities, golf courses, and recreational trails allowed under the MVCP or necessitated by growth provided for in the MVCP. As part of the analysis of cumulative impacts on visual resources, the DEIR must also consider the airport expansion, timber removal, and future developments outside of MVCP area.

158-107

The full extent of the Project's impact on visual resources is difficult to discern from the DEIR. *See e.g.*, DEIR at Figure 4.12-2. The figure that purports to show visual impacts is difficult to interpret, and the analysis in the text of the DEIR does not completely correspond with the impacts illustrated in the figure. *See id.* For example, the high-density development slated for Northstar employee housing adjacent to Highway 267 is designated in the figure as an area retaining scenic value. The text of the DEIR does not specifically mention this high-density development (which may be multiple stories tall) or explain what visual "screen" would result in retention of the scenic value of the area.

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A revised DEIR should make use of photographic simulations to illustrate more clearly the Project's impacts on visual resources. A revised DEIR must include graphics depicting the extent of grading and tree removal, and impacts of new development, even if depictions are conceptual in some cases. Applications for new development at Eaglewood, Hopkins Ranch, Northstar employee housing, and the Village-at-Northstar are before the County, and thus much more detailed information regarding visual impacts is available but not presented in the DEIR. A revised DEIR must include more complete information regarding the Project's impacts on visual resources.

158-109

D. The DEIR's Identification and Analysis of Mitigation Measures Is Inadequate.

An EIR must propose mitigation measures to minimize the significant environmental effects of a project that are identified in the EIR. See Pub. Res. Code §§ 21002.1(a), 21100(b)(3).

The DEIR lacks evidence to demonstrate the efficacy or sufficiency of proposed mitigation measures, and significant impacts are not adequately mitigated. The DEIR either relies on existing County policies to mitigate potential impacts or proposes inadequate and/or inappropriate mitigation measures. Reliance on existing County policies is not specific enough for decision-makers to determine if full mitigation of impacts is feasible and if all of the potentially significant impacts of the proposed MVCP would be fully mitigated. In addition, several suggested mitigation measures are inadequate or inappropriate. For example:

158-110

- The DEIR suggests that raptor nesting sites and bat roosts can be removed or blocked once nesting has been completed or the animals leave the roost, respectively. These mitigation measures are inappropriate -- nesting/roosting habitat may be limiting, and loss of these resources may result in the long-term decline of these species in the area.
- Mitigation measures for potential impacts to mountain yellow-legged frogs must consider a broader area than just stream crossings. Chemicals in runoff from developments and associated recreational areas within the watershed of occupied stream systems must be controlled at their source to prevent these land uses from degrading water quality. These impacts will be difficult to mitigate if developments adjacent to potential mountain

158-111

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| yellow-legged frog habitat are allowed to proceed. Comprehensive surveys for this species should be conducted to inform the MVCP update and allow an appropriate mitigation plan (including project design features) to be developed at this stage of the planning process. | | | 158-112 Cont'd |
| <ul style="list-style-type: none">Mitigation measures for potential impacts to Lahontan cutthroat trout consist of prohibiting construction in spawning habitat during the spawning season and prohibiting structures that would block fish passage. These measures ignore the potential for the residential developments and golf courses to degrade water quality and habitat quality for this species. A comprehensive mitigation plan must be developed during the MVCP update process that addresses all aspects of the habitat and life history requirements of Lahontan cutthroat trout and other salmonid species. | | | 158-113 |
| <ul style="list-style-type: none">Mitigation measures for potentially significant impacts to wildlife movement consist of project-level deer surveys to determine the amount of natural open space necessary to maintain the known deer movement corridors. Effective corridor design is not practicable at the individual development project review stage. These surveys should either be conducted now as part of the MVCP process, with an appropriate land use plan developed based on the results of these surveys, or, alternatively, the proposed Land Use diagram should be modified to increase the amount of natural open space in the vicinity of the known wildlife corridors. In the face of uncertainties due to a lack of information, the proposed Land Use diagram should be more conservative to minimize potential risks to natural resources. | | | 158-114 |
| <p>The DEIR also improperly defers identification of mitigation measures. The DEIR concludes that numerous significant impacts will be less than significant based on proposed policies and mitigation measures that defer action to a later date. For example, mitigation for water supply impacts of the Project proposes that water availability be demonstrated on an individual project basis. See e.g., Policy 6.C.1; MM 4.11.4.1 and MM 4.9.4. This approach is not acceptable under CEQA.</p> | | | 158-115 |

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E. The DEIR Fails to Analyze Adequately the Project's Growth-inducing Impacts.

CEQA requires that an EIR contain an analysis of a project's growth inducing impacts. Growth-inducing impacts are those that encourage or facilitate other activities or projects that could significantly affect the environment. *See* Pub. Res. Code § 21100(b)(5); CEQA Guidelines § 15126(d). Growth-inducing impacts include aspects of a project that "could foster economic or population growth, or the construction of additional housing," that "encourage or facilitate other activities that could significantly affect the environment," or that "remove obstacles to population growth." CEQA Guidelines § 15126.2(d). Expansion of public infrastructure, such as community service facilities and roadways, are classic examples of growth-inducing impacts of a project.

158-116

The County's MVCP is obviously a growth-inducing project in that it removes barriers to new development by setting forth policies to facilitate development and providing land use designations that allow for substantial new residential and commercial development in the Martis Valley. The MVCP also has growth inducing impacts due to the major new infrastructure to serve new development, including: water facilities (wells, storage facilities, treatment facilities) and expanded roads and intersections. Each of these project features has the potential to support growth beyond that proposed by the Project, yet there is no analysis of the growth that these facilities could support beyond the Project.

The DEIR fails altogether to describe and analyze the following growth-inducing impacts of the project:

- Growth associated with the failure of the Project to provide enough affordable and workforce housing, both for the construction phase and the operations phases of MVCP buildout. It is not clear that the mitigation proposed under the MVCP would provide even 50 percent of the workforce housing needed for the Project or any affordable housing units. Other areas that may bear the impact of the employee and affordable housing deficit include Reno, Auburn, Sparks, Kings Beach and other north shore communities.
- Growth associated with widening and expansion of roadways in the Martis Valley. For example, the MVCP provides for the widening of Highway 267 (*see* MVCP at 74-74), which would have significant growth-inducing

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| impacts throughout the Martis Valley. | | | 158-118 Cont'd |
| <ul style="list-style-type: none">• Growth that results from the precedent set by the County designating TPZ lands as "Forest" lands and hence allowing ski facilities, employee housing, and other inappropriate development on TPZ lands. | | | 158-119 |
| <p>The DEIR's analysis of the growth-inducing impacts of the Project is inadequate. Although the DEIR provides some information about the water, sewer, housing, and roadway improvements needed within the County to accommodate the increases in population and jobs allowed under the MVCP, the DEIR does not analyze the form or amount of the development that is likely to be induced by such infrastructure expansion or analyze the environmental impacts associated with such development. The DEIR also does not analyze the Project's growth-inducing impacts outside the plan area. CEQA requires that the DEIR analyze the impacts of the form, location and amount of development that it can reasonably anticipate will be induced by the MVCP. <i>See City of Antioch v. City Council of the City of Pittsburg</i>, 187 Cal.App.3d 1325, 1337 (1986).</p> | | | 158-120 |
| <p>F. The DEIR Fails to Analyze Adequately the Cumulative Impacts of the Project.</p> | | | |
| <p>An EIR must discuss the cumulative impacts of a project when the incremental effects of a project are considerable when viewed in connection with the effects of other past, current, and probable future projects. CEQA Guidelines §§ 15130(a), 15065(c). The analysis of cumulative impacts is particularly important in the context of long-range planning documents because the growth allowed under general and specific plans is often substantial and because they set forth the policies that will guide the development of future, individual projects for many years. As noted in the CEQA Guidelines, one requirement of a program-level EIR for planning documents is that they provide a more thorough analysis of cumulative impacts than is required for individual projects. <i>See</i> CEQA Guidelines § 15168.</p> | | | 158-121 |
| <p>The DEIR fails to adequately analyze the cumulative impacts of the Project for a number of reasons including: an insufficient geographic study area, an incomplete list of projects, and failure to quantify cumulative impacts. The discussion of cumulative impacts must include a summary of the expected environmental effects to be produced by those projects, a reasonable analysis of the cumulative impacts, and full consideration of all feasible mitigation measures that could reduce or avoid any significant cumulative effects of a proposed project. <i>See</i> CEQA Guidelines §§ 15126.4(a)(1) and 15130(b)(3).</p> | | | |

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The DEIR fails to meet these requirements.

The study area for the majority of the DEIR's cumulative impact analysis is too small. The DEIR's study area for a number of impact analyses fails to reveal the true nature of the proposed project's cumulative impacts and, thus, is deficient under CEQA. For example, the study area for traffic and housing should include Reno, Auburn, Kings Beach, and north shore communities, because as noted by the DEIR, employees will be residing in these areas and their numbers are significant. The study area for biological resources should be based on the critical habitat and recovery areas for the key species.

158-121
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A legally adequate cumulative impacts analysis must consider the impacts of the Project combined with other past, present, and probable future projects. CEQA Guidelines § 15130(b)(1). Projects currently under environmental review clearly qualify as reasonably probable future projects to be considered in a cumulative impacts analysis. See *San Franciscans for Reasonable Growth v. City and County of San Francisco*, 151 Cal.App.3d 61, 74 n.13 (1984). In addition, projects anticipated beyond the near future should be analyzed for their cumulative effect if they are reasonably foreseeable. See *Bozung v. Local Agency Formation Comm'n*, 13 Cal.3d 263, 284 (1975). Here, the DEIR's list of cumulative projects is incomplete because it omits projects planned in Truckee and Lake Tahoe as well as the Martis Valley. In particular, the DEIR omits the following projects from the cumulative impact analysis: expansion of the Truckee-Tahoe Airport, expansion of the Teichert Mine, the Northstar-at-Tahoe Mountain Improvements Project, Town and Country Center Project (Truckee), Alpine Knolls Subdivision (Alpine Meadows), Homesites-at Squaw Creek #2 (Bear Creek Valley), Meadows Subdivision (Sugar Bowl), Mourelatos Lakeshore Resort (Tahoe Vista), Plumpjack Squaw Valley Inn Expansion Project (Squaw Valley), Tahoe City Marina Expansion Master Plan (Tahoe City), Tahoe Sands Resort Redevelopment (Tahoe Vista), and Whispering Pines Village (Kings Beach), among others.

The DEIR's cumulative impact analysis fails to quantify cumulative impacts. The cumulative impact discussions are conclusory and devoid of meaningful qualitative and quantitative information. For example, the analysis of cumulative biological impacts lacks quantified information regarding the actual acreage of species habitat that would be threatened or lost due to cumulative development, the total amount of acreage of open space lost to development, a description of cumulative traffic conditions, or a measure of resulting air and water quality. The EIR does not provide decision-makers with any objective measure of cumulative impacts and is inadequate.

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G. The DEIR Fails to Analyze a Reasonable Range of Alternatives to the Project.

CEQA requires that an EIR analyze a reasonable range of alternatives to a project, or to the location of a project, that would feasibly attain most of the basic project objectives while avoiding or substantially lessening the project's significant impacts. *See* Pub. Res. Code § 21100(b)(4); CEQA Guidelines § 15126.6(a). Sound planning principles also dictate that the County consider a reasonable range of alternatives to the Project because this is the first update of the MVCP in nearly 30 years, and decision-makers must be presented with an adequate range of choices for the future of the Martis Valley based on current knowledge of conditions and constraints in the area.

158-123

The DEIR's analysis of alternatives falls short of the standard dictated by CEQA and sound planning principles. All of the alternatives analyzed in the DEIR provide for a significant amount of development in the Martis Valley. While the proposed MVCP allows for development of 20,467 dwelling units, the three alternatives allow for 15,360 units (Alternative AA, Existing MVCP), 17,496 units (Alternative AB), and 16,959 units (Alternative AC) respectively. *See* DEIR at 3.0-20 to 3.0-23. The summary table of project impacts (*see* DEIR Table 2.0-1, at pages 2.0-4 to 2.0-113) indicates that the alternatives have nearly identical impacts and do not represent an adequate range of alternatives.

The alternatives considered should be consistent with the in-fill and natural resource protection policies of the Placer County General Plan discussed in Section I.A above. A reasonable range of planning alternatives for the Martis Valley would include:

- "Status-quo infrastructure" alternative. None of the alternatives presented limits development to that which could be served by existing roads and infrastructure, consistent with existing acceptable levels of service.
- "Biological and natural resources" alternative. A biological and natural resources alternative could be based on a comprehensive constraints map showing areas to be avoided in light of the Placer County General Plan natural resource policies and environmental factors including: ridgelines, significant ecological resources, wildlife corridors, and maintenance of large unfragmented habitats.
- "Conservation plan" alternative. Placer County has initiated a conservation

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planning effort for western Placer County. This process involves development of comprehensive information concerning biological resources to inform planning. This alternative would involve initiation of a conservation plan effort for the Martis Valley, with either a temporary moratorium on new development until the plan is completed or agreements for limited development until the conservation plan is completed.

- "Restricted development" alternative. No alternative proposes a restricted development alternative which would significantly limit new development. A number of California counties, including El Dorado and Monterey, are currently proposing such alternatives within unincorporated areas based on a combination of reasons, including: (1) smart planning, which suggests development should be directed to existing urban communities where services already exist; (2) the costs of extending infrastructure and services to unincorporated areas; (3) overextended services. Other Counties, including San Diego, are both eliminating "specific plan" development areas and including a transfer of development rights program in their updated general plan to direct growth to existing urban and suburban areas where services either exist or can be provided more efficiently. A revised DEIR must include a significantly reduced development alternative.

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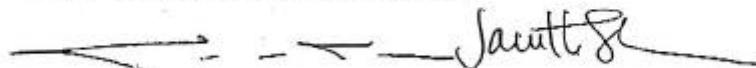
CONCLUSION

For the reasons set forth above, we respectfully request that the County prepare a revised DEIR that fully complies with CEQA and re-circulate the DEIR to the public for comment. Additionally, we request that no further consideration be given to the Project as proposed until an EIR is prepared that fully complies with CEQA.

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Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



RICHARD S. TAYLOR

JANETTE SCHUE

Enclosures

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- Exhibit 1: Terrell Watt, C.V.
- Exhibit 2: Michael D. White, C.V.
- Exhibit 3: Completing the Vision at Northstar (web information)
- Exhibit 4: Tahoe Mountain Resorts - Old Greenwood (web information)
- Exhibit 5: The Mountain Club, Fractional Ownership (web information)
- Exhibit 6: Marriott Grand Residence Club, Lake Tahoe (web information)
- Exhibit 7: Northstar-at-Tahoe, Summer 2002
- Exhibit 8: Tahoe Mountain Resorts - Four-Season Resort (web information)
- Exhibit 9: Completing the Vision, Northstar-at-Tahoe and East West Partners
- Exhibit 10: Truckee River Watershed Baseline Assessment and Map
- Exhibit 11: U.S. EPA, Climate Change and Mountain Regions (web information)
- Exhibit 12: Living with Fire, A Guide for Homeowners (San Mateo County)

cc: Homeowners Engaged in Local Planning - Northstar
Mountain Area Preservation Foundation
SierraWatch
Community Development Director, Town of Truckee
Truckee Donner Recreation and Park District
Tahoe Truckee Unified School District
Placer County Water Agency
Judy Creek, Planning Commissioner, Placer County
Rex Bloomfield, Board of Supervisors, Placer County
Director of Planning, Nevada County Planning Department
Foothill Land Use Commission
Regional Water Quality Control Board, Lahontan Region
Northern Sierra Air Quality Management District
California Department of Fish & Game
Caltrans
U.S. Army Corps of Engineers
Tahoe National Forest
U.S. Fish & Wildlife Service
U.S. Environmental Protection Agency

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EXHIBIT 1

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Terrell Watt, AICP
Terrell Watt Planning Consultants
1757 Union Street
San Francisco, CA 94123
telephone: (415) 563-0543
fax: (415) 563-8701
cell phone: (415) 377-6280
email: terrywatt@worldnet.att.net

EXPERIENCE

- 1989 - **TERRELL WATT PLANNING CONSULTANTS**
Planning consulting firm owner.
- 1981-1989 **SHUTE, MIHALY & WEINBERGER**
Urban Planner/Paralegal:
Reviewed planning and environmental review documents for adequacy, advised on planning and environmental review processes, prepared planning documents, and provided expert witness testimony.
- 1981-1983 **MUNDIE & ASSOCIATES**
Economic and Environmental Planner:
Project Manager for preparation of agricultural land analyses, planning documents and environmental impact reports.
- 1979-1980 **EDAW, INC.**
Project Manager:
Projects included drafting of general plans, specific plans, environmental documents, and project design plans.

PROFESSIONAL MEMBERSHIPS

American Institute of Certified Planners (AICP)
American Planning Association (APA)

EDUCATION

USC GRADUATE SCHOOL OF URBAN AND REGIONAL PLANNING
Masters degree in City and Regional Planning

STANFORD UNIVERSITY
Bachelors degree in Urban Studies

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RECENT PROJECTS

- Santa Clara County Parks and Recreation Department: Currently working with 2M Associates, Inc., to assist the Department to develop a Countywide Strategic Plan primarily directed at managing and improving existing parks and recreation facilities. Work effort includes: 1) working with the Advisory Committee to develop the Strategic Plan and draft action plans, including a resource management plan, and 2) facilitating public workshops related to Plan development. Reference: Lisa Killough, Assistant Director, (408) 355-2219.
- Santa Clara County Land Trust: Assisted the Land Trust to develop an agricultural conservation strategy for agricultural lands adjacent to Gilroy and Morgan Hill (a willing seller/agricultural easement program). Reference: Nancy Richardson, Executive Director, (408) 224-0114.
- David and Lucile Packard Foundation - Conserving California Landscapes Initiative Grant: Developed a Conservation Plan for the Central Coast of California, including Monterey, Santa Cruz and Santa Clara counties. The Plan identifies "no regrets" acquisition parcels based on habitat, agricultural and scenic values and identifies long-term conservation strategies. Reference: Bill Leahy, The Nature Conservancy, (415) 777-0487.
- Mid-Peninsula Regional Open Space District: Currently working with 2M Associates, Inc., to assist the District in its proposed boundary change to include San Mateo Coast within its jurisdiction. The work effort includes: 1) facilitating meetings of the Advisory Committee, and 2) development of a project description for the area including acquisition and management policies, preparation of the Local Agency Formation Commission annexation applications, and responsibility for the LAFCO process. Reference: Craig Britton, General Manager (650) 691-1200.
- City of Livermore Habitat Conservation Plan: Advised the City on the development of a Memorandum of Agreement with the USFWS and CDFG for the completion of a regional HCP. Obtained a Section 6 Grant for the City's effort. Reference: Marc Roberts, Community Development Director, (925) 373-5200.
- Bay Conservation and Development Commission (BCDC): Assisted in the development of a revised San Francisco Bay Plan that will result in (1) additional piers being removed to create new public open spaces and bay views, (2) new land uses in return for new public plazas in conjunction with development, and (3) public access within and around piers. Reference: Jeff Blanchfield, Director of Planning.

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- Infill Working Group: Assisted Environment Now to launch an "Infill Working Group," including representatives of the development community, the State Department of Housing and Community Development and Caltrans to develop a model infill assessment methodology. The work efforts includes facilitation of the Infill Working Group monthly meetings. Funding provided by an Environmental Equity grant from Caltrans, and matching funding from Environment Now and the City and County of Los Angeles. Reference: Dave Myerson, Environment Now (310) 829-5568.
- Marin Local Agency Formation Commission: Assisted in the review of Sphere's of Influences (SOI's) in response to the Hertzberg amendments to the Cortese-Knox-Hertzberg Local Government Reorganization Act. Currently working on the Southern Marin Sphere of Influence report, which includes a public agency and community outreach component. Reference: Peter Banning, Executive Officer (415) 446-4409.
- Monterey County Planning: Currently assisting local community groups in Monterey County to promote policies that are supportive of "smart growth" and resource conservation in the County General Plan update. The effort includes significant community outreach and agency coordination. Reference: Jean Driscoll, Resources Law Group.
- City of Livermore: Assisted the City in preparing general plan amendments, and a specific plan for the South Livermore Valley "winecountry." The plans were developed collaboratively with members of the community and landowners. The plan includes: (1) fees and dedication requirements in return for limited, clustered new development; (2) development of a model conservation easement; (3) transfer of development rights to protect open space; and (4) protection of up to 10,000 acres of agricultural lands beyond an urban growth boundary. The effort also resulted in the launching of a land trust and a voter approved urban growth boundary.
- Silicon Valley Conservation Council: Assisted in the passage of a local measure to raise funding for open space in the region. Headed up the campaign and public outreach effort, which will raise \$8 million per year for open space acquisition and management. The Council includes representatives of the Silicon Valley Manufacturing Group, Cisco Systems, Greenbelt Alliance, the Santa Clara County Land Trust and Santa Clara County Open Space Authority, The Nature Conservancy, among other groups.
- The Nature Conservancy and Sierra Los Tulares Land Trust: Currently assisting these organizations to develop a conservation plan for Tulare County and to develop strategies for agricultural and habitat land conservation. Reference: Alex Mas, TNC (415) 777-0487.

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- Endangered Habitats League: Provide ongoing assistance reviewing and commenting on general plan updates and environmental documents for Orange, San Bernadino, San Diego and Riverside counties. Assisting in the development of a transfer of development rights concept to address rural property rights issues in San Diego County. Reference: Dan Silver, Director (323-654-1456).
- Cambria Pine Forest Committee: Prepared a “white paper” on alternative organizational structures and funding sources for the management of the remaining stands of native Monterey Pine forest in San Luis Obispo County. Reference: Paul Cylinder, Jones and Stokes (916)373-7000.

EXHIBIT 2



Michael D. White, Ph.D.—Curriculum Vitae

Conservation Biology Institute

San Diego Office

651 Cornish Drive
Encinitas, CA 92024
Phone: (760)634-1590
Fax: (760)634-1590
Email: mdwhite@consbio.org

SUMMARY

Dr. White has over 16 years of experience conducting ecological research, species and habitat conservation programs, and impact assessment studies throughout the Southwestern U.S. and the Pacific Rim. His project experience includes multiple species conservation planning, lake management and water quality assessments, riparian and stream assessments and restoration, aquatic invertebrate ecology, ecological risk assessments, environmental impact analyses, resource management plans, and regulatory compliance for wetlands and endangered species. Dr. White has extensive limnological experience, and his technical expertise includes the ecology of aquatic and riparian habitats, water resources management, use of GIS for environmental analyses, experimental design and statistical analysis of ecological data, aquatic invertebrate sampling techniques, and physical and chemical measurements and analyses in aquatic systems. His research explores the interrelationship of hydrological and biological parameters and how they are influenced by land use and water management practices.

Dr. White is currently developing habitat management plans for preserve areas within the San Diego Multiple Species Conservation Program (MSCP) preserve system, developing and assisting with the implementation of regional biological monitoring programs, and advising state and federal agencies on the development of a data management system for regional biological monitoring data. He is also providing technical support for several regional conservation planning and biological monitoring projects in San Diego County. These technical efforts involve coordination with local governmental agencies (e.g., City of San Diego, San Diego Association of Governments), state and federal wildlife and land management agencies (i.e., California Department of Fish and Game, U.S. Fish and Wildlife Service, Bureau of Land Management), local academic and research institutions (San Diego State University, San Diego Natural History Museum, U.S. Geological Survey, San Diego Supercomputer Center) and non-governmental organizations (e.g., The Nature Conservancy, Pronatura, National Wildlife Federation, Southwest Wetlands Interpretive Association, Endangered Habitats League, Back Country Land Trust). Dr. White also serves on the Technical Advisory Committee of the San Diego Tracking Team, a volunteer organization that conducts wildlife tracking studies and promotes environmental awareness in San Diego County.

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Michael D. White, Ph.D.

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Dr. White is a board member of the Conservation Biology Institute and manages the Institute's Southwestern Operations office. He is an Adjunct Associate Professor in the Biology Department and a Faculty Associate at the Center for Inland Waters at San Diego State University. Dr. White has taught a course in environmental policy and regulations at San Diego State University, and he regularly lectures on a variety of subjects, including habitat conservation planning, experimental design and statistical analysis, limnology and aquatic ecology, and ecological risk assessment.

EDUCATION

Ph.D. Ecology, San Diego State University and University of California, Davis, 1991.
Dissertation: Horizontal distribution of pelagic zooplankton in relation to predation gradients.

B.A. Ecology, Behavior and Evolution, University of California, San Diego, 1982.

PERSONAL

Born July 20, 1960, Los Angeles, California (citizen of U.S.A.).

Married.

PROFESSIONAL ORGANIZATIONS AND AFFILIATIONS

Adjunct Professor, San Diego State University
Faculty Associate, Center for Inland Waters, San Diego State University
Society for Conservation Biology
Ecological Society of America - Certified Senior Ecologist
American Fisheries Society
American Society for Limnology and Oceanography
Societas Internationalis Limnologiae
North American Lake Management Society
Society for Conservation GIS
Southwest Association of Naturalists
Arizona Riparian Council

Dr. White holds an Endangered Species Act 10(a)(1)(A) Scientific Collecting Permit (#TE027425-0) for the following species listed under the Act:

- Conservancy fairy shrimp (*Branchinecta conservatio*)
- Longhorn fairy shrimp (*Branchinecta longiantenna*)
- Riverside fairy shrimp (*Streptocephalus woottoni*)
- San Diego fairy shrimp (*Branchinecta sandiegonensis*)
- Vernal pool fairy shrimp (*Branchinecta lynchi*)
- Vernal pool tadpole shrimp (*Lepidurus packardii*)

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EMPLOYMENT HISTORY

July 1999 – present. Senior Ecologist and Manager of the Southwest Operations office of the Conservation Biology Institute, San Diego, California. Providing administrative and fiscal oversight of a four-person operation with revenues of approximately \$500K/yr. Responsibilities include proposal preparation, oversight of office contracts, staff timekeeping and project tracking, accounts payable, accounts receivable, and project management.

September 1991 – present. Adjunct Professor, San Diego State University, San Diego California.

July 1998 – July 1999. Senior Technical Specialist. Ogden Environmental and Energy Services Co., Inc., San Diego, California. Responsibilities included providing technical oversight of the Lower Colorado River Multiple Species Conservation Program project and senior technical support of project staff.

January 1997 – June 1998. Manager, Aquatic Sciences Group. Ogden Environmental and Energy Services Co., Inc., San Diego, California. Managed a group of nine professional aquatic scientists with revenues of approximately \$2M/year. Responsibilities included administration, marketing and proposal preparation, strategic planning, annual budgeting and performance tracking, timekeeping oversight, personnel supervision (including direct supervision of four professional biologists), project management, and project technical support.

January 1994 – December 1996. Deputy Manager, Biological Resources Group, Ogden Environmental and Energy Services Co., Inc., San Diego, California. Deputy manager for a group of 23 professional biologists. Responsibilities included, marketing and proposal preparation, strategic planning, annual budgeting, group health and safety program oversight, personnel supervision (including direct supervision of five professional biologists), project management, and project technical support.

September 1989 – July 1994. Senior Ecologist, Ogden Environmental and Energy Services Co., Inc., San Diego, California. Responsibilities included marketing and proposal preparation, project management, project technical support, and direct supervision of three professional biologists.

September 1983 – December 1990. Graduate Assistant, San Diego State University, San Diego, California.

July 1984 – June 1985. Graduate Assistant, UC Davis Tahoe Research Group, Lake Tahoe City and Davis, California.

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PROJECT EXPERIENCE

REGIONAL HABITAT CONSERVATION PLANNING, MONITORING, AND MANAGEMENT

South Coast Missing Linkages Project – South Coast Wildlands Project. Working on a project in partnership with the South Coast Wildlands Project, The Nature Conservancy, and Pronatura to conduct planning studies on five important habitat linkages in the U.S.-Mexico border region. The Conservation Biology Institute is taking the lead on two of the five linkages. One is linking National Forest land in the Laguna Mountains with important habitats in Baja California through the Campo Valley area of San Diego County. The other is linking habitats in the Jacumba Mountains with those in the Sierra Juarez in Baja California. The project will result in a detailed comprehensive report describing threats and conservation opportunities for each of the five linkages described above. The report will also evaluate the likely biological impacts of losing ecoregional connectivity in these areas.

Habitat Management Planning for the Lake Hodges/San Pasqual Valley MSCP Preserve Area – City of San Diego. Project manager for the development of a habitat management plan for the over 9,000-acres Lake Hodges/San Pasqual Valley MSCP Preserve Area. Coordinating a team of specialists associated with CBI, local biologists, the U.S. Geological Survey, and San Diego State University to conduct baseline surveys and map the distributions of key resources, including vegetation communities, rare plants, Hermes Copper butterflies, herpetofauna (including arroyo southwestern toad), and breeding riparian birds (including least Bell's vireo and southwestern willow flycatcher). The management plan will address issues such as control of adjacent land use impacts, fire management, recreational access, fencing, exotic species control, monitoring, and research.

Multiple Species Conservation Program – City of San Diego Clean Water Program. Participated in development of a conservation and management plan for federally listed species and key candidate species and their habitats in a 900-square-mile area in San Diego County. Coordinated the development of a GIS-based habitat evaluation model, prepared hydrologic management guidelines for the preserve system, and assisted with development of the species and habitat monitoring program for the preserve system.

Regional Conservation Planning and Constraints Analyses for Eastern San Diego Mountains – The Nature Conservancy. Worked with The Nature Conservancy and a team of regional scientific experts to prioritize conservation opportunities for a 400,000-acre area in San Diego County that includes the headwaters of five major watersheds. The study involved development and review of a spatial and non-spatial database for the area, identification of regionally important resources and landscape connections, and a gap analysis to identify regionally important resources that were in private ownership and zoned for development or agriculture. CBI identified and evaluated the potential effects

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of land uses and other stressors, including those that may affect downstream portions of the watersheds. CBI and a team of scientists conducted biological surveys of selected properties. As a result of the studies, CBI prepared a conservation strategy report that identifies conservation priorities, research needs, land use constraints, potentially compatible land uses and appropriate locations, restoration opportunities, and habitat management goals.

MSCP Monitoring Program Coordination – California Department of Fish and Game (CDFG), U.S. Fish and Wildlife Service (USFWS) and City of San Diego. Working with the City of San Diego and other San Diego County jurisdictions, USFWS, and CDFG to implement the Subregional Biological Monitoring Program for the San Diego MSCP. As part of this effort, CBI is compiling an inventory of existing monitoring efforts in western San Diego County, developing a strategic framework of the roles and responsibilities of the monitoring partners, refining biological monitoring protocols, developing structures and protocols for managing large biological databases, formulating a strategy for developing a centralized database repository, and developing a web site to disseminate MSCP-related information to the public.

Regional Biological Monitoring Plan for the Multiple Habitats Conservation Program – San Diego Association of Governments. Developing a regional biological monitoring plan for the North Coastal San Diego County Multiple Habitats Conservation Program (MHCP). The plan is being developed in coordination with the California Department of Fish and Game and the U.S. Fish and Wildlife Service and the seven North San Diego County cities participating in the MHCP. The MHCP biological monitoring program is intended to provide a systematic data collection effort to gauge the progress and success of the habitat preserve system. The plan addresses regional monitoring objectives and describes specific monitoring approaches for riparian communities, uplands, vernal pools, coastal lagoons, and wildlife movement corridors within the preserve system.

Monitoring Program for the Santa Margarita River – The Nature Conservancy. Developed a program to monitor future potential changes on the Santa Margarita River associated with modification of base flows resulting from a water rights settlement on the river. Base flow augmentation resulting from the settlement has been designed to mimic natural discharge patterns historically observed in the river. The monitoring plan was structured around geomorphically distinct reaches of the river that are anticipated to respond similarly to river hydrology. Elements considered in the monitoring plan include biological resources (riparian and coastal stream communities), water quality, discharge, and channel geomorphics. The objective of the monitoring program is to quantify conditions prior to the modification of base flows and to track changes flowing base flow augmentation.

Habitat Management Planning for the Marron Valley Preserve Area – City of San Diego. Project manager for the development of a habitat management plan for the 2,600-acre Marron Valley MSCP Preserve Area. Coordinating a team of biologists associated

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with CBI, the U.S. Geological Survey, and the San Diego Natural History Museum to conduct baseline surveys and map the distributions of key resources, including vegetation communities, rare plants, Quino checkerspot butterflies, herpetofauna (including arroyo southwestern toad), and breeding riparian birds (including least Bell's vireo and southwestern willow flycatcher). Dr. White conducted surveys for the endangered San Diego fairy shrimp in vernal pools on the property. The management plan will address issues such as cattle grazing, fire management, access, fencing, exotic species control, monitoring, and research.

Wildlife Corridor Monitoring Study – City of Poway and City of San Diego. The study evaluated the use of designated wildlife corridors by target mammal species, including mountain lions, bobcats, coyotes, mule deer. Field monitoring was conducted in the Los Penasquitos, Carmel Valley, Carmel Mountain/Del Mar Mesa, and eastern Poway areas by a graduate student and by a local volunteer organization using different methodologies. CBI analyzed the data generated to assess the functionality of the wildlife corridors and to compare the methods.

Lower Colorado River Multi-Species Conservation Program – National Fish and Wildlife Foundation. Served as a technical consultant to the plan development team for the Lower Colorado River Multiple Species Conservation Program (LCR MSCP). The LCR MSCP plan is being prepared for a consortium of federal and state agencies (California, Nevada, and Arizona), water and hydropower interests, and Native American Tribal governments. The LCR MSCP was initiated to optimize opportunities for current and future water and power development in the lower Colorado River basin, while working towards conservation of listed and selected unlisted species and their habitats in compliance with both the federal and California Endangered Species Acts. The result of the plan will be the issuance of incidental take authorizations under Sections 7 and 10(a)(1)(B) of the Endangered Species Act, and Section 2835 of the California Natural Communities Conservation Program Act for those species deemed to be adequately addressed by the plan, through a combination of conservation, management, restoration, and operational measures.

Responsibilities include providing overall technical oversight for the project team. Current efforts involve the development of a conservation strategy for the program and alternatives for evaluation under the California Environmental Quality Act and National Environmental Policy Act. The conservation strategy will involve a strong riparian habitat restoration component, which involves integrating the requirements of riparian species with the hydrologic and hydraulic conditions on the river in light of future water management scenarios (e.g., intrastate water transfers to achieve compliance with California's 4.4 Plan, offstream storage and interstate transfer rules). Implementation of the conservation strategy will have to consider large-scale water management activities and water accounting practices dictated by the large body of legislation and court decrees collectively known as the Law of the River.

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CONSERVATION OUTREACH, TRAINING, AND EDUCATION

San Dieguito River Watershed Information System – San Dieguito River Valley Conservancy. Directing the development of a Geographic Information System (GIS) based information system that will assist the Conservancy and the San Dieguito River Valley Joint Powers Authority (JPA) with planning, land acquisition and conservation, and community outreach. The project has been funded by the San Diego Foundation. The GIS tool will combine available regional data layers such as land use, land ownership, biological resources information, topography, water resources information, and political boundaries, into a user-friendly mapping and analysis tool. The tool will allow staff at the Conservancy and JPA to combine various data layers for environmental analyses, to track resource and land status in the watershed, and to create maps and displays for outreach purposes.

Aquatic Ecology Training Program – Campo Environmental Protection Agency. Conducted training of tribal members working for the Campo Band of Mission Indians Environmental Protection Agency (Campo EPA) in aquatic and riparian resource ecology, inventory, and restoration. The program was funded under Section 106 of the Clean Water Act. The ultimate goal of the program was to provide tribal members sufficient training to allow for an efficient and effective transition of delegation of authority over water resources matters to the Campo Band. Conducted training in riparian ecology, aquatic invertebrate ecology, Rapid Bioassessment Protocols, and stream and riparian restoration techniques.

Lake Ecology Display – City of San Diego. Developed an educational display for “Lake Day” sponsored by the City of San Diego Recreational Lakes Program and held at Lake Morena, San Diego County, California. The display included a presentation of physical dynamics of lake (thermal stratification and turnover), oxygen dynamics, microscope viewing of zooplankton, and a listing of local fish species. Questions from the public were entertained.

TECHNICAL STUDIES

The Influence of Watershed Development on the Hydrology and Biology of Los Peñasquitos Creek – The San Diego Foundation Blasker Rose-Miah Fund. Dr. White was awarded a research grant for this project in watershed of Los Peñasquitos Creek. The Los Peñasquitos Creek watershed is a small coastal watershed in San Diego, California that contains significant areas of conserved natural habitats. The study will examine how patterns of land use change in the Los Peñasquitos Creek watershed have affected downstream hydrology of the creek, channel geomorphology, and associated riparian vegetation communities.

Salton Sea Water Quality Management Project – Salton Sea Authority. Project manager for a program funded under a USEPA Clean Lakes Grant, which summarized

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and presented environmental and economic analyses of salinity and surface elevation management alternatives at the Salton Sea. Contracted with the Salton Sea Authority, a Joint Powers Authority comprised of the counties of Imperial and Riverside, the Imperial Irrigation District, and the Coachella Valley Water District. The purpose of the project was to identify, summarize, and evaluate alternatives for managing the salinity and elevation of the Salton Sea. The project entailed interaction with the USEPA, U.S. Army Corps of Engineers, Bureau of Reclamation, U.S. Fish and Wildlife Service, California Department of Fish and Game, Regional Water Quality Control Board, California Environmental Protection Agency, and local citizens groups to identify and summarize their concerns.

Guajome Lake Water Quality Assessment Project – County of San Diego. Project manager for a water quality study at Guajome Lake in northern San Diego County funded under the U.S. Environmental Protection Agency's (USEPA) Clean Lakes Program. The focus of the project was to characterize water quality in the lake through field sampling and chemical analysis of soil, sediment, stream flow, and lake water to identify pollution problems in the lake and its watershed. The project included preparation of a Quality Assurance Project Plan (QAPP), assessing historic uses of agricultural chemicals in the watershed, estimating sediment and chemical constituent loadings to the lake with watershed modeling techniques, developing and assessing pollution control measures, and developing pollution control and water quality monitoring programs for the lake.

San Diego River Live Stream Discharge Studies – City of San Diego. Biology task manager for analysis of potential effects of live stream discharge of reclaimed water to the San Diego River. Objectives of the study were to determine the feasibility of a live stream discharge program in light of the potential effects to wetlands (including habitat for the endangered least Bell's vireo), aquatic fauna, water quality, and public health. Responsibilities included an assessment of the effects of varying quantities of live stream discharge on fisheries habitat, riparian and salt marsh wetlands, wetland-associated terrestrial species, and disease vectors. Completion of this task required interpretation of the QUAL2E water quality model output and hydraulic modeling output.

Olivenhain Reservoir Limnological Assessment – Olivenhain Water District. Project manager and technical lead for the assessment of anticipated limnological conditions of a planned reservoir in San Diego County. The assessment projected anticipated thermal stratification and dynamics of nutrients, dissolved oxygen, and other water quality constituents. Recommended design features to better manage water quality in the reservoir, including a multi-port outlet tower to allow selective withdrawals, artificial circulation/hypolimnetic aeration, and a separate inlet structure for aqueduct inflows.

Fairy Shrimp Survey and Assessments – Twentynine Palms Marine Corps Air Ground Combat Center. Task manager overseeing field surveys of anostracans (primarily fairy shrimp) in desert playas and impact assessments of base operations on these resources. Field surveys involved collecting samples of sediments containing

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anostracan eggs that were reared in controlled conditions in the laboratory. The impact assessment primarily evaluated the effects of vehicle traffic (e.g., tanks and armored personnel carriers) to desert playa habitats.

Fairy Shrimp Surveys – Rancho del Rey, City of Chula Vista. Performed field surveys of remnant vernal pools on Otay Mesa to characterize the fairy shrimp fauna on a proposed development site.

Fisheries Survey – Newhall Land and Farming. Conducted a field survey of native fishes in the Santa Clara River, Los Angeles County, California, as part of an emergency road crossing project. The purpose of the survey was to document the species present in the study area and to relocate fish potentially impacted by construction operations to areas outside of the impact zone as conditioned in the California Department of Fish and Game Streambed Alteration Agreement for the project. Species of particular interest were threespined stickleback (*Gasterosteus aculeatus*), arroyo chub (*Gila orcutti*), and Santa Ana sucker (*Catostomus santaanae*).

Impacts of Threadfin Shad on Largemouth Bass – San Diego State University. Participated in a project to examine the impacts of threadfin shad introductions on aquatic biota in southern California reservoirs. Sampled fish and plankton, conducted physical and chemical analyses, and conducted echosounding in six lakes in San Diego County. Identified zooplankton and provided statistical review.

Impacts of Opossum Shrimp on Zooplankton – Tahoe Research Group. Participated in a project assessing the impacts of opossum shrimp (*Mysis relicta*) introductions on Lake Tahoe zooplankton. Installed experimental enclosures with scuba, sampled and counted zooplankton, and analyzed data. Performed a variety of routine limnological analyses such as collection of temperature, oxygen, and nutrient profiles. Conducted short-term opossum shrimp feeding experiments.

ENVIRONMENTAL IMPACT ANALYSIS AND REGULATORY COMPLIANCE

Evaluation of the Cabo San Quintin Development Project and Environmental Impact Study – *pro esteros* and Endangered Habitats League. Conducted an evaluation of the proposed Cabo San Quintin development plan and associated Mexican environmental impact study (Manifestación de Impacto Ambiental) for the Punto Mazo peninsula, San Quintin, Baja California, Mexico. The evaluation discussed inadequacies and inconsistencies of the environmental analysis, and presented an independent analysis of key project features and their potential impacts. Key points discussed in the evaluation included the inadequate consideration of Mexican endangered species laws, state land use regulations, potable and irrigation water supply issues, waste water treatment and potential nutrient loading, potential effects of marina dredging on the Bahía San Quintín, potential impacts to endemic species and sensitive habitats, and potential socioeconomic

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impacts associated with the increased regional infrastructure and services needs that would result from implementing the project.

Wetlands Permitting, Mission Valley West Light Rail Transit – Metropolitan Transit Development Board. Project manager responsible for coordinating wetlands and endangered species permitting for the Mission Valley West Light Rail Transit project. Conducted a Section 404(b)(1) alternatives analysis, selected potential riparian mitigation sites, acted as permitting agency liaison, coordinated development of a wetlands mitigation plan, conducted U.S. Army Corps of Engineers 404 and California Department of Fish and Game Streambed Alteration Agreement permitting, and coordinated Section 7 consultation for the endangered least Bell's vireo.

Wetlands Permitting and Mitigation Plan, East Mission Gorge Sewer Interceptor Force Main and Pump Station – City of San Diego Water Utilities Department. Prepared a detailed wetlands mitigation plan for impacts associated with the construction of a sewage pump station and force main. The wetlands mitigation plan was developed in consultation with the U.S. Fish and Wildlife Service, California Department of Fish and Game, and City of San Diego. The mitigation plan was required for the U.S. Army Corps of Engineers' Section 404 and California Department of Fish and Game 1601 permitting process.

ECOLOGICAL RISK ASSESSMENTS

Ecological Risk Assessment, U.S. Naval Activities (NAVACTS), Guam – U.S. Navy. Coordinated investigations in support of ecological risk assessments for terrestrial and freshwater habitats at four sites at NAVACTS Guam. Field studies included mapping and characterization of vegetation and wildlife habitat, floral and faunal inventories, collection of soils and sediments for toxicity tests and chemical analyses, and analysis of resident biota for contaminant bioaccumulation. This information was compared to data from offsite reference areas. These data were used to develop preliminary ecological risk assessments evaluating the potential risk that the chemicals onsite posed to aquatic and terrestrial communities. Of special concern was the potential for adverse impacts to the endangered Mariana common moorhen, which utilizes freshwater marshes in the area. Chemicals of concern for these sites included metals, pesticides, polychlorinated biphenyls (PCBs), dioxins, petroleum hydrocarbons, and polynuclear aromatic hydrocarbons (PAHs).

Ecological Risk Assessment, Old WESTPAC Site, NAVACTS, Guam – U.S. Navy. Coordinated field studies at NAVACTS, Guam to sample soils and freshwater sediments for chemical analyses and toxicity tests. Collected aquatic and terrestrial organisms for tissue analyses to determine bioaccumulation of chemicals found onsite. These data were used to develop a preliminary ecological risk assessment evaluating the potential risk that the chemicals onsite posed to aquatic and terrestrial communities. Of particular concern

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were wetlands supporting the endangered Mariana common moorhen. Chemicals of concern included metals, pesticides, PCBs, petroleum hydrocarbons, and PAHs.

Ecological Risk Assessment RCRA Facilities Investigation – Rocketdyne Division, Boeing North American. Task manager overseeing the development of ecological risk assessments at 36 sites at the 2,500-acre Santa Susana Field Laboratory (SSFL) for the Rocketdyne Division of Boeing North American. Supervised biologists conducting extensive field surveys of the SSFL that involved vegetation community mapping, rare plant surveys, and wildlife species inventories. Coordinated with the California Department of Toxic Substances Control (DTSC) on development of a series of “white papers” describing the approach and methodologies that will ultimately be employed to conduct the risk assessments for the SSFL. The white papers dealt with issues such as determining background concentrations, selecting contaminants of concern, proposed conceptual site models, calculation of exposure point concentrations, development of exposure model parameters, and risk-based decision criteria.

PUBLICATIONS AND PRESENTATIONS

PUBLICATIONS AND REPORTS

White M.D. In MS. A new record of *Branchinecta sandiegonensis* in Marron Valley, San Diego County, California. Submitted to *The Southwestern Naturalist*.

White M.D. and K.A. Greer. 2002. The Effects of Watershed Urbanization on Stream Hydrologic Characteristics and Riparian Vegetation of Los Peñasquitos Creek, California. Prepared for the San Diego Foundation. July. (MS in prep. For submission to *Wetlands*).

Strittholt, J.R., N.L. Stauss, and M.D. White. 2000. Importance of Bureau of Land Management Roadless Areas in the Western U.S.A. Prepared for the National Bureau of Land Management Wilderness Campaign by the Conservation Biology Institute. March.

White, M.D. 1999. The Lower Colorado River Multi-Species Conservation Program. *Arizona Riparian Council Newsletter* 12(1). January.

White, M.D. 1998. Horizontal distribution of pelagic zooplankton in relation to predation gradients. *Ecography* 21:44-62.

Hurlbert, S.H. and M.D. White. 1994. Experiments with invertebrate zooplanktivores: Quality of statistical analysis. *Bulletin of Marine Science* 53(2):128-153.

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White, M.D. 1993. Morphological characteristics of threespined sticklebacks (*Gasterosteus aculeatus*) from the Sweetwater River, San Diego County, California. *Proceedings of the Western Association of Fish and Wildlife Agencies 73rd Annual Conference*. Pages 219-224. July.

PRESENTATIONS

White, M.D. 2002. A review of the ecological effects of roads with examples from Southern California. Presented to the National Research Council Committee on the Ecological Impacts of Road Density. Newport Beach, California. June.

White, M.D. and J.A. Stallcup. 2000. The Lower Colorado River – Conservation planning in a degraded riverine ecosystem. Presented at the Society of Conservation Biology Annual Meeting, Missoula, Montana. June.

White, M.D. 1998. Moderator for a panel discussion on salinity and surface elevation management options for the Salton Sea. Salton Sea Symposium II. La Quinta, California. January.

White, M.D. 1995. Managing salinity and surface elevation at the Salton Sea, California. Presented at the American Society of Civil Engineers Annual Convention 95, San Diego, California. October.

White, M.D. 1993. Morphological characteristics of threespined sticklebacks (*Gasterosteus aculeatus*) from the Sweetwater River, San Diego County, California. Presented at the American Fisheries Society Western Division Annual Conference, Sacramento, California. July.

White, M.D. 1991. Horizontal distribution of zooplankton in relation to predation gradients. Presented at the Zooplankton Ecology Symposium, Lawrence University, Appleton, Wisconsin. August.

Hurlbert, S.H. and M.D. White. 1991. Quality of statistical analyses in studies on the effects of invertebrate zooplanktivores. Presented at the Zooplankton Ecology Symposium, Lawrence University, Appleton, Wisconsin. August.

White, M.D., T. Morrison, G. Orlob, H. Chang and C. Nordby. 1991. An environmental assessment of the potential effects of live stream discharge of reclaimed water to the San Diego River. Presented at the Symposium on Water Supply and Water Reuse: 1991 and beyond. American Water Resources Association, San Diego, California. June.

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White, M.D. 1989. The role of vertebrate and invertebrate predation gradients in producing horizontal heterogeneity of zooplankton populations. Symposium on Intrazooplankton Predation, University of Sao Paulo, Sao Carlos, Brasil. June.

Hurlbert, S.H. and M.D. White. 1989. A review of the experimental intrazooplankton predation literature with emphasis on experimental design and analysis. Symposium on Intrazooplankton Predation, University of Sao Paulo, Sao Carlos, Brasil. June.

White, M.D. 1989. Evidence for diel horizontal migrations of an invertebrate predator, *Mesocyclops edax*. Southern California Academy of Sciences Annual Meeting, Thousand Oaks, California. May.

White, M.D. 1988. Predation-induced horizontal zooplankton gradients. Ecology Supplement 69(2) pg. 340. Ecological Society of America Annual Meeting, Davis, California. August.

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INVITED LECTURES AND TEACHING

March 2001. Guest lecturer in Ecology of the Colorado River Delta, San Diego State University. Topics: Colorado River law, river operations, and the Multiple Species Conservation Program.

Fall Semester 2000. Environmental Policy and Regulation (Biology 538) – San Diego State University. Curriculum covers aquatic and wetland ecology, jurisdictional wetland determinations, Clean Water Act, CWA section 404 permitting, California Fish and Game Code, California Regional Water Quality Control Plans, California Environmental Quality Act, National Environmental Policy Act, Fish and Wildlife Coordination Act, Federal Endangered Species Act, California Endangered Species Act, Habitat Conservation Plans, local governmental ordinances and regulations, and presentation by environmental non-governmental organizations.

November 2000. Guest lecturer in Conservation Ecology, San Diego State University Department of Biology. Topic: Conservation planning in practice.

January 2000. Invited speaker at the Strategic Planning Education Seminar of the Coalition for the Sonoran Desert Protection Plan. Topic: Use of science in habitat conservation planning.

October 1999. Guest lecturer for the San Diego State University Department of Biology Graduate Student Seminar Series. Topic: Habitat Conservation Planning on the Lower Colorado River.

March 1999. Guest lecturer in Ecology of the Colorado River Delta, San Diego State University Department of Biology. Topic: Lower Colorado River Multi-Species Conservation Program.

February 1997. Guest lecturer in Topics in Toxicology, San Diego State University Graduate School of Public Health. Topic: Ecological Risk Assessment.

March 1996. Guest lecturer in Topics in Toxicology, San Diego State University Graduate School of Public Health. Topic: Ecological Risk Assessment.

April 1995. Reviewed manuscripts for the “Ecological Risk Assessment” conference Society of Environmental Toxicology and Chemistry (SETAC) Special Publication.

March 1995. Guest lecturer in Topics in Toxicology, San Diego State University Graduate School of Public Health. Topic: Ecological Risk Assessment.

April 1994. Guest lecturer in Topics in Toxicology, San Diego State University Graduate School of Public Health. Topic: Ecological Risk Assessment.

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Spring Semester 1992. Environmental Assessment (Environmental Studies 105) – University of San Diego. Curriculum covered general ecological principals, regional ecology, California Environmental Quality Act/National Environmental Policy Act, Clean Water Act, Rivers and Harbors Act, Endangered Species Act, local government ordinances and policies, and biological impact assessment issues and methodologies.

February 1990. Guest lecturer in Experimental Design, San Diego State University Department of Biology. Topic: Data Transformations.

April 1988. Guest lecturer in Experimental Design at San Diego State University. Topic: Split-plot and Repeated Measures Designs.

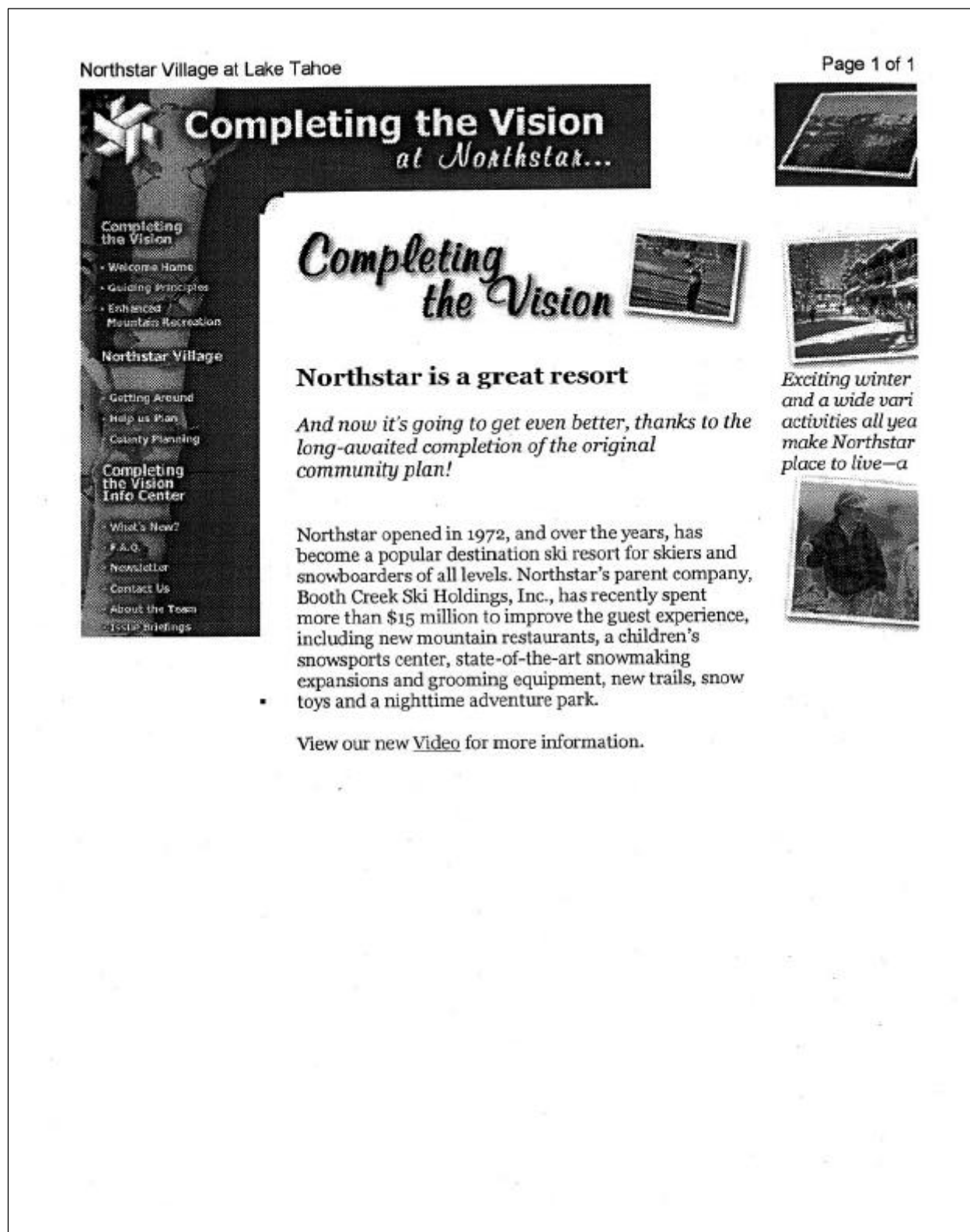
March 1988. Guest lecturer in Limnology, San Diego State University. Topic: Physical Limnology.

April 1986. Guest lecturer in Limnology, San Diego State University. Topic: Benthic Ecology.

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EXHIBIT 3



Northstar Village

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Completing the Vision at Northstar...

Completing the Vision

- Welcome Home
- Guiding Principles
- Enhanced Mountain Recreation

Northstar Village

- Getting Around
- Help us Plan
- County Planning

Completing the Vision Info Center

- What's New?
- F.A.Q.
- Newsletter
- Contact Us
- About the Team
- Press Releases



Frequently Asked Questions



Q. Why is there a need to change Northstar?

Q. How many houses or rooms are expected to be built in the next 15 years?

Q. Will new homeowners be allowed to use existing Northstar facilities?

Q. Will there be separate homeowner associations?

Q. Are any further County approvals needed?

Q. How does the Martis Valley Community Plan update affect the process?

Q. How do new state environmental laws apply?

Q. How is the new development going to affect existing property values?

Q. How will you prevent overcrowding?

Q. What will new Village development look like?

Q. How will you protect Tahoe from looking like Colorado?

Q. How do we know that these developments will be completed?

Q. What is the relationship between Northstar and East West Partners?

Q. Will time share units be allowed?

Q. How will time share units be counted?

Q. How will existing traffic problems be solved?

Placer County
May 2003

Martis Valley Community Plan Update
Final Environmental Impact Report

3.0-887

Imperial Bank of Commerce (CIBC). East West's financial partners include Crescent Real Estate Equities Company (NYSE:CEI) and Crescent Operating, Inc. (Nasdaq:COPI) located in Fort Worth, Texas.

East West does not do small, short-term projects. When the company decides to undertake projects in an area, it makes a long-term commitment to the community. For north Tahoe, East West has established a local office in Truckee with partner Roger Lessman in charge. A key to East West's commitment to an area is local decision-making. Local East West decision-makers who live and work in the community call the shots, not executives in far-off states.

Since Booth Creek acquired Northstar in 1996, it has invested more than \$15 million in capital improvements in the resort, and many more are planned for the future.

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Q. What's the relationship between the two companies?

A. Northstar and East West Partners are partners. Each company brings different expertise to the table. Northstar expertise is in resort operations. Northstar will work to develop a vision, and continue to ensure a fun, safe and playful environment that is surrounded by the best guest services. East West Partners is a pre-eminent mountain resort developer with decades of experience weaving all-season sports and recreation into high quality living environments.

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Q. Are there restrictions on time shares at Northstar?

A. The Northstar Property Owners Association (NPOA) has adopted covenants that allow interval ownerships of 11 owners or fewer per unit. When new units are developed at Northstar, NPOA members may be asked to vote on whether the new units will be annexed into NPO. If units are annexed into NPOA, existing covenants regarding time shares would apply.

Northstar and East West Partners want to create a variety of lodging and ownership options at Northstar. We believe a combination of single family homes,

condominiums, townhomes, interval ownership, time shares and resort lodges, inns and/or hotels can be developed that will accommodate the range of lodging and ownership options people are seeking and ensure a robust community.

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Q. How will time shares be counted in terms of the number of units that will be developed in the future. If there are 11 owners, does that count as 11 units?

A. Units include any type of "beds" where people can stay the night. Units range from single family homes to hotels. A hotel room counts as one unit, and so does a single family home. Obviously, hotels are the most intensive use since a hotel room could have overnight guests every night of the year. Time shares would be a less intensive use than a hotel.

[\(Return to top\)](#)

Q. How will existing traffic bottlenecks be addressed?

A. As new neighborhoods are developed, a series of improvements will be made to enhance circulation at Northstar. The goals we are working from are as follows:


- Reduce vehicle traffic by providing convenient, alternate means of getting around the resort.
- Provide more shops and services in the village center so that people have less of a need to use their cars to obtain services.
- Intercept day skiers close to the entrance and provide alternate transportation to the base mountain lifts.
- Provide continuous, alternate transportation to the village from the neighborhoods so that property owners can get to the village without having to use their cars.
- Placement of new neighborhoods should maximize ski-in/ski-out access; this minimizes the need for transportation to and from lifts.
- Reduce the amount of traffic on Northstar Drive by upgrading an internal road system to serve up-mountain development.
- Reduce traffic on Northstar Drive by upgrading a

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

EXHIBIT 4


Old Greenwood North Lake Tahoe California

Page 1 of 1



Old Greenwood

[Home](#) | [Welcome to Truckee](#) | [Facts](#) | [East West Partners](#)
[What's New](#) | [Maps](#) | [Town Planning & Review](#) | [Contact Us](#)



Old Greenwood Outdoor Family Fun in the Tahoe Tradition

Historic name

Old Greenwood is a new community located in the historic North Lake Tahoe town of Truckee. It's named after Caleb Greenwood, a mountain man who led hundreds of immigrants across the Truckee Route of the Sierra into California in the mid-1800s. He was in his eighties at the time. A portion of the historic Truckee Route of the Emigrant Trail is located on the Old Greenwood property today.

Resort recreational community

Old Greenwood is planned as a resort recreational community on more than 900 acres. Features of the new community will include:

- 18-hole Jack Nicklaus Signature Golf Course
- golf academy
- golf driving range
- clubhouse
- state-of-the-art tennis and fitness center
- extensive swimming complex with a "five-in-one" pool
- lodge
- small conference facility
- 80% of the 900-acre parcel will be left in permanent, public open space
- extensive network of trails, connecting to the Truckee-Tahoe area's existing trail system
- 298 residences in a variety of home styles, including single family homes, shared ownership cabins and shared ownership vacation townhomes

Revised development plan submitted to Truckee



East West Partners is the developer of Old Greenwood, and purchased the property in May of 2001. The town of Truckee had approved a prior development plan for the property. East West Partners added 300 acres to the site, but did not increase the proposed number of residential units. East West has submitted a revised plan to the town that calls for a mixture of single family homes and shared ownership vacation homes, and greatly increases the amount of open space and recreation within the community. About 100 to 120 people will be employed at Old Greenwood in resort related operations, such as the golf course, the lodge and conference facility. Employee housing also will be provided.

For More Information Contact Bill Fiveash at 530-587-3460
bfiveash@ewpartners.com
Website Design and Hosting by www.ewtechnology.com

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Tahoe Mountain Resorts

Page 1 of 1



HOME

OVERVIEW

TMR COMMUNITY

TAHOE MOUNTAIN CLUB

CURRENT NEWS

BROKER CENTER

CONTACT US

TMR Community

Communities

Old Greenwood

The Village at Northstar

The Highlands

Gray's Crossing


Environmental Sensitivity

Technology

CALL NOW!!
800-754-3070




Be one of the first to receive information regarding Founder Memberships.

CONTACT US



Located on a 900-acre spread of Tahoe fields and ponderosa pines, Old Greenwood will be crafted in the style of a traditional family resort and will offer shared ownership of mountain homes along with single family homesites. With a Jack Nicklaus Signature Golf Course, an outdoor swim center, tennis & fitness facility and Kids Camp, Old Greenwood will be a welcome four-season retreat for every member of the family.

Old Greenwood.



THERE'S SOMETHING HAPPENING

HERE

Tahoe Mountain Resorts | PO Box 3757 | Truckee, CA 96160-9937 | 800.754.3070

info@tahoemountainresorts.com

Website Design and Hosting by www.ewtechnology.com

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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PLANNING COMMISSION STAFF REPORT

DATE: May 29, 2002
TO: Town of Truckee Planning Commission
FROM: Duane Hall, Town Planner *DH*
SUBJECT: Application No. 01-002 (Old Greenwood Planned Development); Truckee Land LLC, as represented by Bill Fiveash, applicant

Agenda No.:

Approved by:

[Signature]
Tony Lashbrook
Community Development Director

RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2002-13 recommending to the Town Council certification of the Final EIR and approval of the Development Code amendment, planned development, use permit, tentative map, lot line adjustment, street and easement abandonment, and development agreement for the project.

PROJECT DESCRIPTION AND LOCATION

The applicant is requesting several land use / zoning approvals for a mixed use resort planned development on 923 acres consisting of a commercial resort, including fractional ownership (timeshare) units, and a residential subdivision. The commercial resort includes an approximately 50,000 s.f. lodge (with 20 lodging units), swimming/fitness center, privately-owned golf course and appurtenant facilities, 154 fractional ownership units, and 28 employee housing units. The residential subdivision proposes 104 single family lots and 20 townhouse units. Approximately 80% of the site will be preserved as permanent open space which includes the golf course tees, fairways, and greens. The land use / zoning approvals being requested include a zoning map amendment to modify the zoning district on approximately 312 acres from RR-0.1 (Rural Residential - 1 unit per 10 acres) to REC (Recreation), a development agreement to vest development rights on the property for 15 years, a planned development and use permit for the commercial resort and golf course features of the project, a tentative map for the

Phone: 530-582-7876

Truckee Community Development Department
19183 Truckee Airport Road, Truckee, CA 96161

Fax: 530-582-7889

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Commission Report #01-002, 5/29/02
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residential subdivision and to create open space, golf course, and development area parcels, a lot line adjustment with the PC-2 property, and an abandonment of access and utility easements on the southerly 312 acres.

The project site is located adjacent to Interstate 80 immediately west of the Prosser Village Road Interchange between the Pannonia Ranchos subdivision to the north and the Olympic Heights subdivision to the south. All development proposed by the project including the golf course, single family lots, residential townhouses, fractional ownership units, lodge, and other facilities will be located southeast of Interstate 80. Access to the development area will be from Old Truckee Airport Road approximately 300 feet east of the Interstate 80-Prosser Village Road access ramps.

Truckee Community Development Department
10192 Truckee Airport Road Truckee, CA 96161


Ext. 530.582-7889

EXHIBIT 5

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Kirkwood Real Estate 2002: Fractional Ownership – Mountain Club

Page 1 of 3

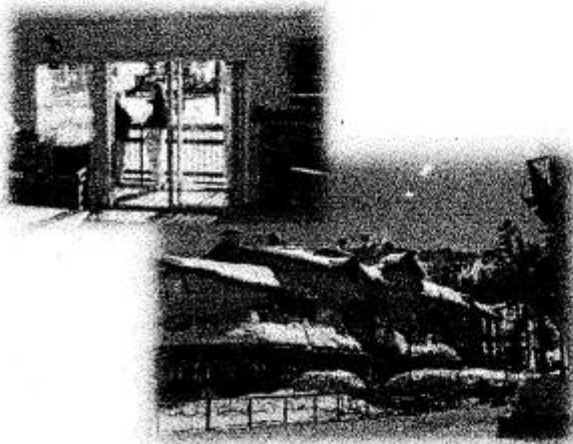


Real Estate Mountain Village New Projects Existing Condos Homes & Building Sites Request Info Fractional Ownership Kirkwood

Mtn Club | Snowcrest | Timber Ridge
Meadowstone | Sentinels | Palisades

The Mountain Club

slopeside fractional ownership



The dream: a secluded High Sierra getaway, steps from the slopes. The reality: not enough time to make it worth the investment. The dream-come-true? The Mountain Club at Kirkwood. Luxurious, on-mountain condominiums with an ownership program that's as inviting as the resort itself.

Time is money

It's that simple. When you buy a Mountain Club condominium, you pay for the time you, your family and friends plan to spend here. Fractional ownership offers from one week of every four, a total of 13 weeks p year to half that time, one-eighth share.

Location is everything

You've got it all. Five ski lifts to 2,300 acres of the country's deepest snow are feet from your front door. warmer weather, walk out to all kinds of activities. Also right outside, restaurants, shops, fire pit, future ice rink... the Kirkwood Mountain Village.

<http://www.kirkwood.com/realestate/ownership.shtml>

7/11/02

Flexibility is freedom

Owners have options. For more Mountain Club time, the "Space Available" program at a nominal fee. For different dates, the convenience of trading with other owners on-line. And for more travel, exchange privileges at over 1,800 Interval International resorts worldwide.



Style is obvious

Quality show. Professionally decorated, fully furnished down to the elegantly etched wine glasses...your private mountain lodge was designed with luxury in mind. And resort-style amenities: complete health club, outdoor spa, underground parking, private lockers...The Mountain Club is fully managed; owners have no maintenance responsibilities. There's even an on-site Owners' Representative who can arrange everything from grocery delivery to dinner reservations to a tee time. In other words, your time away is truly yours.

Arriving is easy

No stop-and-go here. You can relax as you drive along uncongested, all-weather Highway 88. Leaving the traffic behind and getting to where you want to go. In around two hours from the greater Sacramento area, three and a half from San Jose. Taking in some of Nature's most spectacular scenery along the way.

The clock is ticking

Supply and demand. The number of on-mountain ownership opportunities is limited. Not to mention the chances for quality time with your family and friends. Arrange a Mountain Club tour today. Call Kirkwood Real Estate at 888.593.7767.

Click below to view floorplans or check out these Mountain Club VR's:



Living Room (670k)



Bedroom (678k)

<http://www.kirkwood.com/realestate/ownership.shtml>


7/11/02

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EXHIBIT 6

Marriott Grand Residence Club – Innovation In Second Home Ownership

Page 1 of 2



Innovation In
Second Home Ownership




Lake Tahoe
California

- Lake Tahoe**
- Destination
- Services and Amenities
- Features
- Floor Plans
- Directions
- Photo Gallery

Home Overview Locations FAQs Contact Rentals

Rebirth
of A Grand
Destination...
Lake Tahoe.



From mountain men to millionaires...settlers to socialites, they have all felt a deeply ingrained desire to make this place a part of their lives. Early literary works described Tahoe as, "replete with every convenience and luxury Americans expect in their chosen resorts".

An apt description for a place that looks as if it were created from a dream.

Lake Tahoe has been a favorite destination since the early 1900's. As a booming resort area, everyone from Hollywood stars to captains of industry basked in the natural splendor of the area. In 1960, the Winter Olympic Games were held at nearby Squaw Valley and interest in the area hit an all-time high.

Years after the Olympic rush, the area became standard. There was nothing new in South Shore. Residents and developers alike realized that an area of such beauty deserved to be renewed to its former glory—the kind of place people visit for a lifetime.

With the redevelopment, South Shore is undergoing an unprecedented renaissance of spectacular proportions. New and exciting developments and resorts will protect the delicate environment and breathe life into the area and put a new shine on this alpine jewel.

This is your rare opportunity to own at Marriott Grand Residence Club, Lake Tahoe, and become part of a prestigious tradition in the heart of the South Shore. It is your chance to be a part of a historic rebirth of a legendary community.

Be among the first to take advantage of our unique brand of worry-free fractional real estate. An awe-inspiring location, tremendous service and amenities and the benefits of second home ownership make this a rare and limited opportunity.

<http://www.grandresidenceclub.com/locations/lakeTahoe/default.asp>

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Marriott Grand Residence Club -- Innovation In Second Home Ownership

Page 2 of 2

For well over 100 years, Lake Tahoe has represented the ideal retreat for the body and soul. Since the early 1900's, Tahoe has been a favorite vacation destination.

Whatever inspiration you seek, it is in Lake Tahoe.

Marriott Grand Residence Club, Lake Tahoe is currently under construction. Proposed occupancy is November 2002.

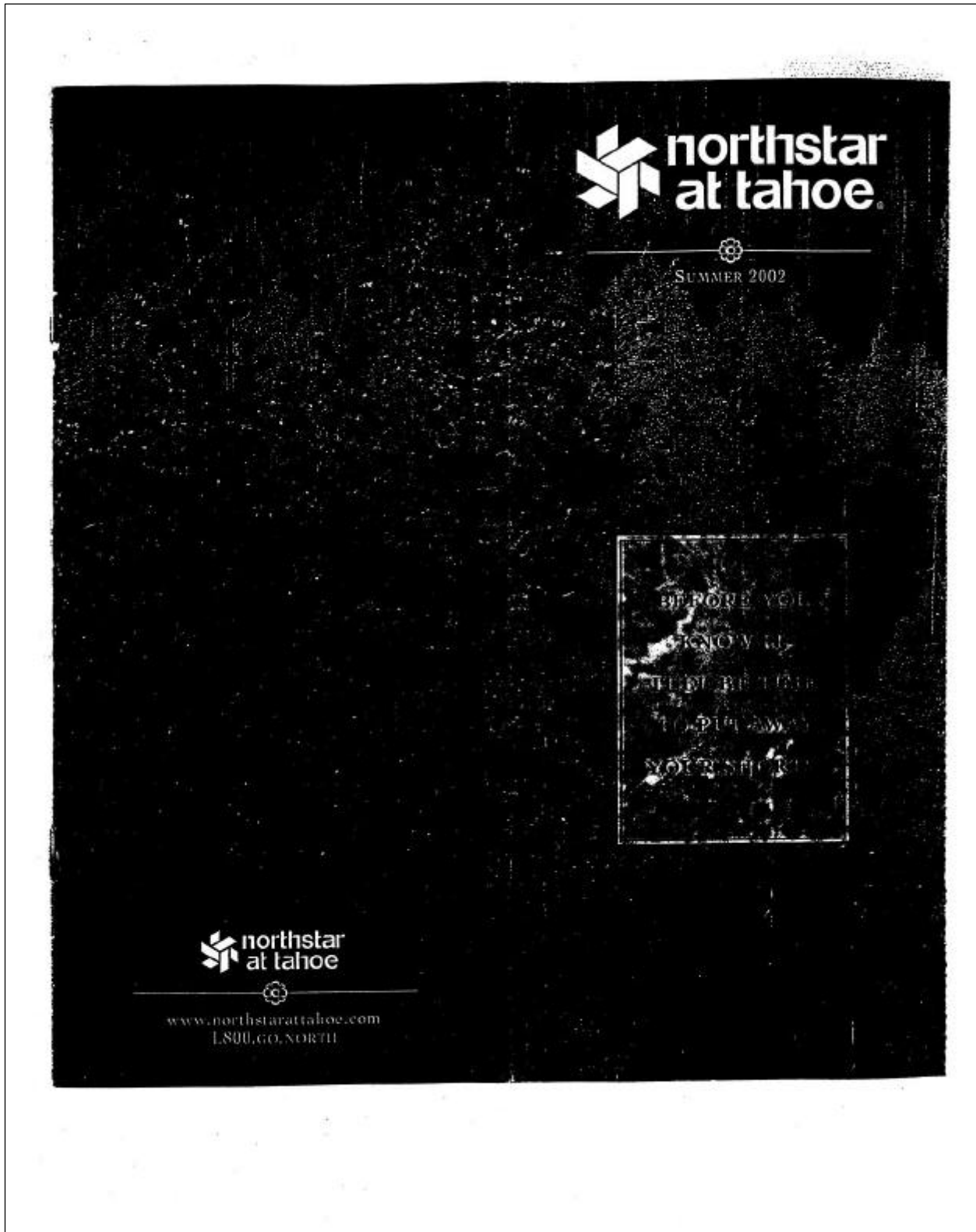
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<http://www.grandresidenceclub.com/locations/lakeTahoe/default.asp>

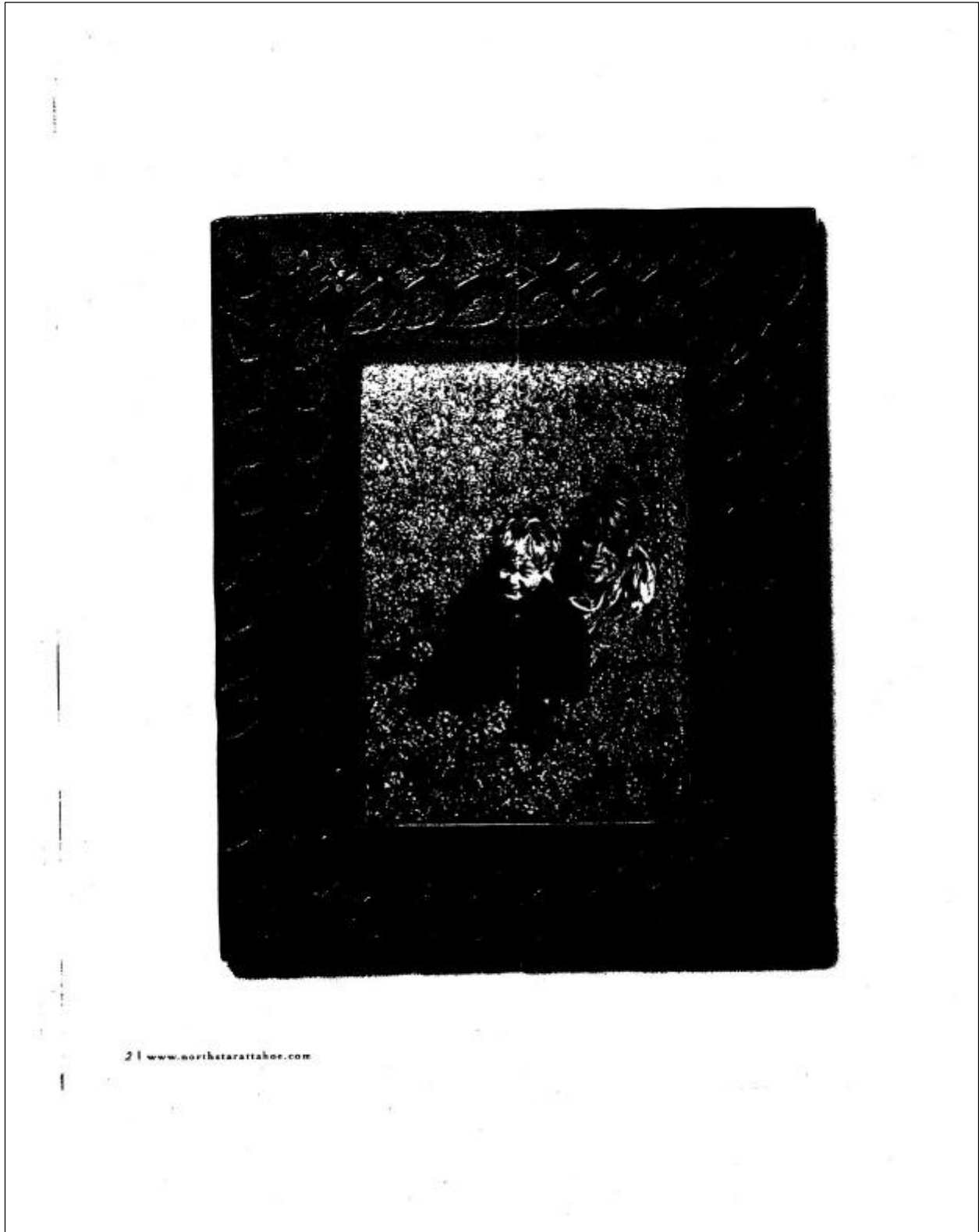
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EXHIBIT 7

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



It's cruel, isn't it? You flip your calendar to June and smile. The warm days of summer are here. And then one morning, as you're rushing off to work, you look up through the steam of your coffee completely stunned to see your neighbor's rooftop covered in frost. What happened? Where did it all go? If only summer had a pause button.

Well, maybe it does. For there is a place where time actually slows down. Where days seem to stroll along lazily from one to the next. Where people smile more. And frown lines disappear. Where the sole purpose of a day might be to just dangle your feet in the cool rush of a mountain stream. Or find a quiet lake all to yourself and do nothing but skip rocks until you break the single-digit barrier.

This is what a summer at Northstar is all about. This is where the once-in-a-lifetime things happen. Like watching your son catch his first fish and hold it high in the air as if he just landed on the moon. Or spending a night with friends climbing to the top of the highest mountain just to see how different a sunrise might look at 10,000 feet. Or seeing your 90-year-old granddad hit his first-ever hole in one.

In the next few pages, you'll find out all the ways to enjoy our mountains and the laid-back pace of it all. And we hope if you come this way, you'll have a few of those once-in-a-lifetime memories to take back with you. So, when you do step back into the rush of everyday life, you'll be ready to put away those shorts and smile as frost returns to the rooftops.

1.800.GO.NORTH | 5

MOUNTAIN BIKING

Northstar has a heaping helping of mountain bike trails. More than 100 miles, in fact, making it Northern California's largest mountain bike park, with the most lift service in the state. Really, it's okay to take the chairlift. No one will think you're a wimp.

Park open daily, June 15–September 2, 2002; and Friday, Saturday and Sunday, September 6–October 13, 2002.

Prior to opening; dependent on weather.

| Lift Ticket Prices | Adult (13+) | Child (9–12) |
|------------------------|-------------|--------------|
| Bicyclist, single ride | \$17 | \$12 |
| Bicyclist, multi-ride | \$29 | \$17 |
| Season pass | \$189 | \$115 |

**Check out our website for current price specials.*

Mountain Bike Rental

State-of-the-art "Giant" full-suspension cross-country mountain bikes.

| | Adult | Junior | Child |
|-------------------|-------|--------|-------|
| All day | \$40 | \$27 | \$17 |
| Afternoon, 1:30pm | \$29 | \$20 | \$10 |

**Rental rates based on bike size, not age.*

Helmet, gloves and complimentary water bottle included in bike rentals. Helmets required at Northstar. Call 530.562.2268 for more information.

Chairlift Rides for Hikers

Mountains are for hikers, too. Take the easy way up and find yourself at the top of Northstar, surrounded by acres and acres of hiking trails. Lift ticket purchase required. Adult tickets \$15. Child and senior tickets \$10.

Stay and Hike or Bike FREE!

From \$67.00 per person, per night, double occupancy. Two nights' lodging in a studio condominium (other unit types and rates also available). Includes one free multi-ride biking or hiking ticket per person, per stay. Offered Sunday–Thursday, June 16–August 29, 2002; and weekends, September 6–October 12, 2002. One fanny pack lunch from the Village Food Company included.

Dirt Camp Mountain Bike Schools also available on select dates; see events calendar on page 7.

4 | www.northstarat Tahoe.com

ADVENTURE PARK

Remember hailing out of that swing on the playground when you were eight years old? Well, this is the grown-up version.

Groups may schedule events from early May through late October. Call 510.525.9391 for reservations.

Challenge Ropes Course

It's like a jungle gym in the trees. Only with lots of ropes, ladders and cables. Course includes a 300-foot zip line and a jump through thin air to a swinging trapeze. Eight people at a time. For ages 10 and up. Call 530.562.2285 for reservations. (Parent participation required for children under 14.)

Open Thurs.–Sun., June 20–September 2, 2002.

Hours: 1–5pm. On Sunday, course runs from 10am–2pm.

| | |
|-------------------|------|
| Fees (per person) | \$43 |
| Family value | \$40 |

(for each additional person after the first full fare, up to three persons)

Junior Ropes Course

Your little ones aren't just going to sit back, smile and watch you have fun. Junior course for ages 4–13. Parent participation required.

Open Wed.–Sun., June 20–September 2, 2002.

Hours: 10am–5pm.

| | |
|-------------|------|
| Fees | \$13 |
| Single zips | \$6 |

Climbing Wall

It's not the Matterhorn. But when you cling to the side of our 25-foot-high wall, you might just want to yodel. Okay, a bit over-dramatic, but you get the point. Introductory lessons in safety and proper belay techniques. Climbing shoe rental and private lessons also available.

Open Wed.–Sun., June 20–September 2, 2002.

Hours: 10am–6pm.

| | |
|--|------|
| All-day pass (or \$11 per hour) | \$20 |
| Family value (per person, per hour, with three or more climbers) | \$10 |

Map and Compass Course

Find your way out of this one with just a map, compass and tube of crazy glue. Free orientation lessons available. Map and compass rental included. And just kidding about the crazy glue.

Open Wed.–Sun. by reservation only, June 20–September 2, 2002.

| | |
|-------------|------|
| Adult (17+) | \$15 |
| 8–16 Years | \$10 |

(Children 7 and under are free when accompanied by an adult.)

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GOLF

Lush green fairways. Towering pine trees. Mountains that stretch into the pure blue sky. It's enough to make you drool on this brochure.

As you play through all 6,897 yards of this 18-hole golf course, you will find just about every challenge designer Robert Muir Graves could think of. Long, deep shooting on the front nine. Tight, precise play on the back. Dozens of bunkers. And water hazards on 15 holes.

Course open daily, May–October, weather permitting. You can make special arrangements for group tournament play for groups of 20 or more. Course amenities include a clubhouse, restaurant, snack bar, pro shop, resident PGA pro, locker rooms, putting green, and driving range. For reservations call 530.562.2490. Also ask about our Drive & Dine specials.

Greens Fees

(18 holes and includes shared cart rental, unless otherwise noted.)

Prices below are for regular season play. Special discounted prices are available in spring and fall.

| | |
|--------------------------------|------|
| Peak season | \$95 |
| Play after 1pm Sunday–Thursday | \$75 |
| Spring and fall seasons | \$65 |
| Twilight walking | \$40 |
| Twilight with cart | \$50 |
| Nine before nine with cart | \$55 |

- Soft spikes only
- Proper golf attire required
- Learn to golf for free on Wednesdays
- We welcome groups

Club Rental & Instruction

Premier Taylor Made golf clubs

| | |
|---------------------------|------|
| 18 holes | \$42 |
| 9 holes | \$29 |
| 1-hour lesson | \$69 |
| Golf swing video analysis | \$79 |

Stay and Play Northstar and Coyote Moon

Two-day golf package including lodging at Northstar, one day of 18-hole golf with cart at Northstar and one day at Coyote Moon. From \$301 per person (based on double occupancy in a studio condominium, some golf restrictions apply). Two-night minimum required.

Stay and Golf FREE!

A great value for all golfers. From \$57.00 per person per night (based on double occupancy in a studio condominium); includes one FREE round of golf after 12pm per person, per stay, with a shared cart. Offered daily May 24–June 13, 2002; Sunday–Thursday, non-holidays, June 16–September 2, 2002; and daily September 2 until course closes. Two-night minimum stay is required. (If you are not a golfer, you can exchange the golf pass for a \$25 gift card good at Northstar.)

TENNIS

If you happen to get pummeled, just blame it on the high altitude. Courts open May–October, weather permitting. Open to all ages. Weekly tennis activities are offered. Lessons are available with our USPTA/USPTR pro. Call the tennis desk at 530.562.0321.

Private Lessons

| | |
|---------------------------------------|------------------|
| 1 hour (\$25 per additional person) | \$62 per person |
| 1/2 hour (\$20 per additional person) | \$37 per person |
| Six-lesson value pack | \$310 per person |

Tennis Camps

Two-day and five-day Adult and Junior Tennis Camps are available throughout the summer. Some date restrictions apply. All programs are subject to change and reservations are recommended. Call 530.562.0321.

Two-Day Tennis/Lodging Package

Two-day lodging & tennis camps from \$239 per person, double occupancy, and includes: two nights' lodging in a studio condominium (other unit types and prices available), two days of tennis lessons for all abilities (3 hours per day), and one lunch at Northstar's Clubhouse at Martis Valley Grille.

1.800.GO.NORTH 1.5

HORSEBACK RIDING

Throw on your 10-gallon hat and head on out to see the mountains. Pony rides for kids, too. Call 530.562.2480 for reservations. Must be made 24 hours in advance.

| | |
|--|-------|
| Trail Ride | |
| 1 hour | \$25 |
| 2 hours | \$40 |
| All day, experienced riders | \$120 |
| 15-minute pony rides for children | \$5 |
| Private Rides | |
| 1 person/1 hour (each additional rider \$30) | \$40 |

FLY-FISHING

Fish stories. Here at Sawmill Lake, you'll actually get to live them. This secluded 10-acre reservoir is stocked with trophy-sized rainbows. And since we limit four rods to the water at a time, you'll have plenty of chances to hook the big one. Catch-and-release only. Call 530.582.5393 for more details and reservations.

MINORS' CAMP

We'll keep your kids busy all day long, so they won't miss you for a second. For ages 2-10 (must be toilet trained). It's an adventure camp for little ones. Monday through Saturday, 9am-5pm. Reservations recommended. Call 530.562.2278. CA License #310311226.

| | | |
|------------------------|---------|------|
| Morning program | 9am-1pm | \$33 |
| All-day program | 9am-5pm | \$55 |

Open Monday-Saturday, June 10-August 31, 2002. Parents must remain on Northstar's premises. One free 1/2 day child care included per unit, per stay (two-night minimum).

ATV TOURS

Pop-a-wheelie, anyone? Just kidding. See amazing views of Lake Tahoe, Martis Valley and Sawmill Lake. Two-hour guided tours. For ages 16 and up. Helmet, gloves, and goggles provided. Must wear sturdy, close-toed shoes and long pants. Five people per tour. Reservations required. Call 530.562.2267.

Offered daily 9:30am, noon, 2:30pm. \$80 per person.

61 www.northstaratahoo.com

DINING

TIMBERCREEK RESTAURANT

Voted one of Tahoe's best restaurants and recipient of *Wine Spectator* magazine's Award of Excellence. Outdoor dining on a heated patio and casual indoor dining. Enjoy a great steak for a special price on Filet Fridays. Also, check out our monthly winemaker series. Open daily for dinner and on weekends for late-afternoon appetizers. Children's menu also available. Call 530.562.2250 for reservations.

THE VILLAGE FOND COMPANY

Gourmet Deli and Coffee Bar features daily breakfast specials, sandwiches for lunch, and dinner specials. Specialty grocery items and gourmet made-to-order baskets also available. Outdoor barbecue on weekends. 530.562.2253.

MARTIS VALLEY Grille

Enjoy an incredible view of the Martis Valley and the golf course from our outdoor, heated patio. Open daily to the public for breakfast and lunch. Patio is available for private group functions or special parties. Sunday brunch every week. Full bar available. Call 530.562.2460 for reservations.

The Turn

Located at the golf course. Call in your order while teeing-off at the 9th and pick up your food on the way through. Menu items include sandwiches, burgers, hot dogs and a full assortment of snacks. Patio seating also available. Call 530.562.2460 to place your to-go order.

MEETINGS

Northstar is an ideal setting for small groups, corporate retreats and sales-team seminars. Our professional on-site banquet staff and the long list of outdoor activities we have to offer will make all those hours of meetings worthwhile.

This is also a great place for conferences, family reunions, weddings, golf tournaments and other group functions for 20 to 200 people. To plan a gathering or for more information, call Northstar's meeting coordinators at 530.562.2265. Ask about our special lodging and meeting packages.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

CALENDAR OF EVENTS

JUNE

- 2 America's Most Beautiful Ride, bicycle ride around Lake Tahoe, 800.565.2704
- 15 Northstar's Evening Mountain Bike Series Race
- 15-16 Dirt Camp Mountain Bike Camp at Northstar, 800.711.DIRT
- 20 Northstar's Evening Mountain Bike Series Race
- 22 BeerFest, microbrews and music, Northstar-at-Tahoe, 530.562.1010
- 22-23 2nd Annual Donner Summit Downhill Festival, 858.272.3095
- 24-28 California Special Sports, 530.562.2288
- 27 Northstar's Evening Mountain Bike Series Race
- 29 U.S. Airforce Band of the Golden West, Truckee Regional Park, 530.587.0640
- 30 Young Eagles Rally, Truckee Tahoe Airport, Truckee, 530.562.1925

JULY

- 3 Fourth of July Fireworks, Kings Beach State Beach, 530.546.3270
- 4 Fourth of July Fireworks, Commons Beach, Tahoe City, 530.583.3494
- 4 Fourth of July Hometown Parade, downtown Truckee, 530.587.2757
- 11 Winemaker's Dinner, Timbercreek Restaurant, 530.562.2250
- 11 Northstar's Evening Mountain Bike Series Race
- 11-14 Tahoe ARTour, 530.581.2787
- 12-14 Cannibal Cruise Vintage Car Show, Truckee Regional Park, 530.582.9062
- 13-14 Dirt Camp Mountain Bike Camp at Northstar, 800.711.DIRT
- 18 Northstar's Evening Mountain Bike Series Race
- 18-Aug 17 Lake Tahoe Summer Music Festival, performances every Thursday and Saturday, various venues, 530.583.3101; www.tahoe-music.org
- 20 Northstar Annual 5K & 10K Fun Run, 530.562.1010
- 20-Aug 25 Shakespeare Festival, Sand Harbor State Beach, Incline Village, NV, 800.747.4697
- 25 Northstar's Evening Mountain Bike Series Race
- 27-28 Dirt Camp Mountain Bike Camp at Northstar, 800.711.DIRT

*Events at Northstar are in bold.

*For the most updated calendar, please visit www.northstaratahove.com.

AUGUST

- 1 Northstar's Evening Mountain Bike Series Race
- 3-11 Hot August Nights, Classic Car Event, Reno, 775.556.1956
- 8 Northstar's Evening Mountain Bike Series Race
- 8 Tahoe Summer Music Festival at Northstar, 585-FEST
- 8-15 Wooden Boat Week, Tahoe Yacht Club, Tahoe Vista, 530.581.4700
- 9-10 Concours d'Elegance Classic Wooden Boat Show, Carnelian Bay, 530.581.4700
- 10-11 Dirt Camp Mountain Bike Camp at Northstar, 800.711.DIRT
- 10-11 Truckee Championship Rodeo, Truckee, 530.582.9852
- 15 Winemaker's Dinner, Timbercreek Restaurant, 530.562.2250
- 15 Northstar's Evening Mountain Bike Series Race
- 16-18 MS Society Bike Tour
- 24-25 24-Hours of Tahoe Mountain Bike Race, 530.562.1010; www.grannygear.com
**Some trails will be closed for this weekend*
- 31- Sept 1 Splendor of the Sierra Fine Arts and Crafts Fair, Northstar, 530.562.1010
- 31- Sept 1 Tahoe Jazz Festival, Northstar, 530.562.1010; www.tahoejazz.org

SEPTEMBER

- 7-8 California State Cross-Country and Downhill Race, Northstar, 530.562.1010
- 7-8 Dirt Camp Mountain Bike Camp at Northstar, 800.711.DIRT
- 7-8 5th Annual Truckee Railroad Days, Historical Downtown Truckee, 530.546.1221
- 19 Winemaker's Dinner, Timbercreek Restaurant, 530.562.2250
- 22-23 Dirt Camp Mountain Bike Camp at Northstar, 800.711.DIRT
- 28-Oct 3 Lake Tahoe International Film Festival, 530.583.FEST

OCTOBER

- 5-6 Dirt Camp Mountain Bike Camp at Northstar, 800.711.DIRT
- 5-6 9th Annual Donner Party Hike, Truckee, 530.587.2757
- 13 Lake Tahoe Marathon, Tahoe City to South Lake Tahoe, 530.544.7095; www.laketahomarathon.com
- 19 Winemaker's Dinner, Timbercreek Restaurant, 530.562.2250
- 19-20 Autumn Food and Wine Festival, 800.824.6348

1.800.GO.NORTH | 7

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LODGING

One free 1/2 day child care included per unit, per stay.
(two-night minimum)

| Unit Type | Recommended Per Occupancy | Unit Per Night |
|--------------------|------------------------------|-------------------|
| ROOMS | | |
| Village Lodge Room | 2 | \$149 |
| Village Loft | 2 | \$169 |

CONDOMINIUMS

| | | |
|------------------|---|-------|
| Studio | 2 | \$114 |
| 1 Bedroom/1 Bath | 2 | \$149 |
| 2 Bedroom/1 Bath | 4 | \$215 |
| 2 Bedroom/2 Bath | 4 | \$249 |
| 3 Bedroom/2 Bath | 6 | \$325 |
| 4 Bedroom/2 Bath | 8 | \$365 |

HOMES

3, 4 and 5 Bedrooms \$379-\$775

Valid May 24 - October 27, 2002. Does not include 10% lodging tax or 2% housekeeping gratuity.

Summer lodging packages available. Groups of 20 or more, or guests needing 5 or more units, qualify for special group rates. Call 530.562.3581.

CALL 1.800.GO.NORTH or 530.562.1010 for more details or to book your summer getaway.

For Guest Services call 530.562.2267.

Book online at: www.northstarattahoe.com




WHAT THE FUTURE HOLDS

Over the next few years, we'll be adding a lot of new things to Northstar and our Village. But these aren't the kinds of changes that so often transform resorts into strange, unfamiliar places with no personality. We're taking our time to plan it right. Every improvement and change will only add to and accentuate what you already like about Northstar. The relaxed, friendly, down-to-earth feeling you get when you stay here will not change. There'll just be more of it. To see what we have planned, visit our New Vision Center in the Village this summer or go to our "Completing the Vision" webpage at www.northstarvillage.com/northstar.

TRAVELING TO NORTHSTAR



Just 40 miles from Reno, 96 miles from Sacramento, and 196 miles from San Francisco. Take Interstate 80 to Truckee exit (Hwy 267) and travel 6 miles south. Call 530.562.1010 for more information.



P.O. Box 129, Truckee, CA 96169
Reservations: 1.800.GO.NORTH • 530.562.1010 • Fax: 530.562.2215
email: northstar@northstar.com • website: www.northstarattahoe.com
All rates, dates, programs and products in this brochure are subject to change. Northstar, Northstar-at-Tahoe and  are registered service marks of Trinnor Land Company.

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EXHIBIT 8

Tahoe Mountain Resorts

Page 1 of 1



HOMEOVERVIEWTMR COMMUNITYTAHOE MOUNTAIN CLUBCOMMENT NEWSBROKER CENTERCONTACT US

Overview

The Vision

Tahoe Mountain Resorts Map

East West Partners


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CONTACT US

THE VISION

North America's Finest Four-Season Resort Experience
It's difficult to define Tahoe Mountain Resorts because it is truly one-of-a-kind and has no equal anywhere in North America. The story begins and ends with passion. Passion for Tahoe - its stunning beauty, its genuine nature and its timeless spirit. Passion for excellence. And finally, passion for creating North America's finest four-season resort experience. Using this passion as a guide, we are creating four outstanding communities and an unrivaled Club. Each community, while sharing in the overall vision of Tahoe Mountain Resorts, will offer unique attributes unto itself. Each will be dedicated to authenticity; to creating a true sense of community; to providing memorable events; and above all, to offering the Truest Tahoe Experience.



THERE'S SOMETHING HAPPENING
HERE

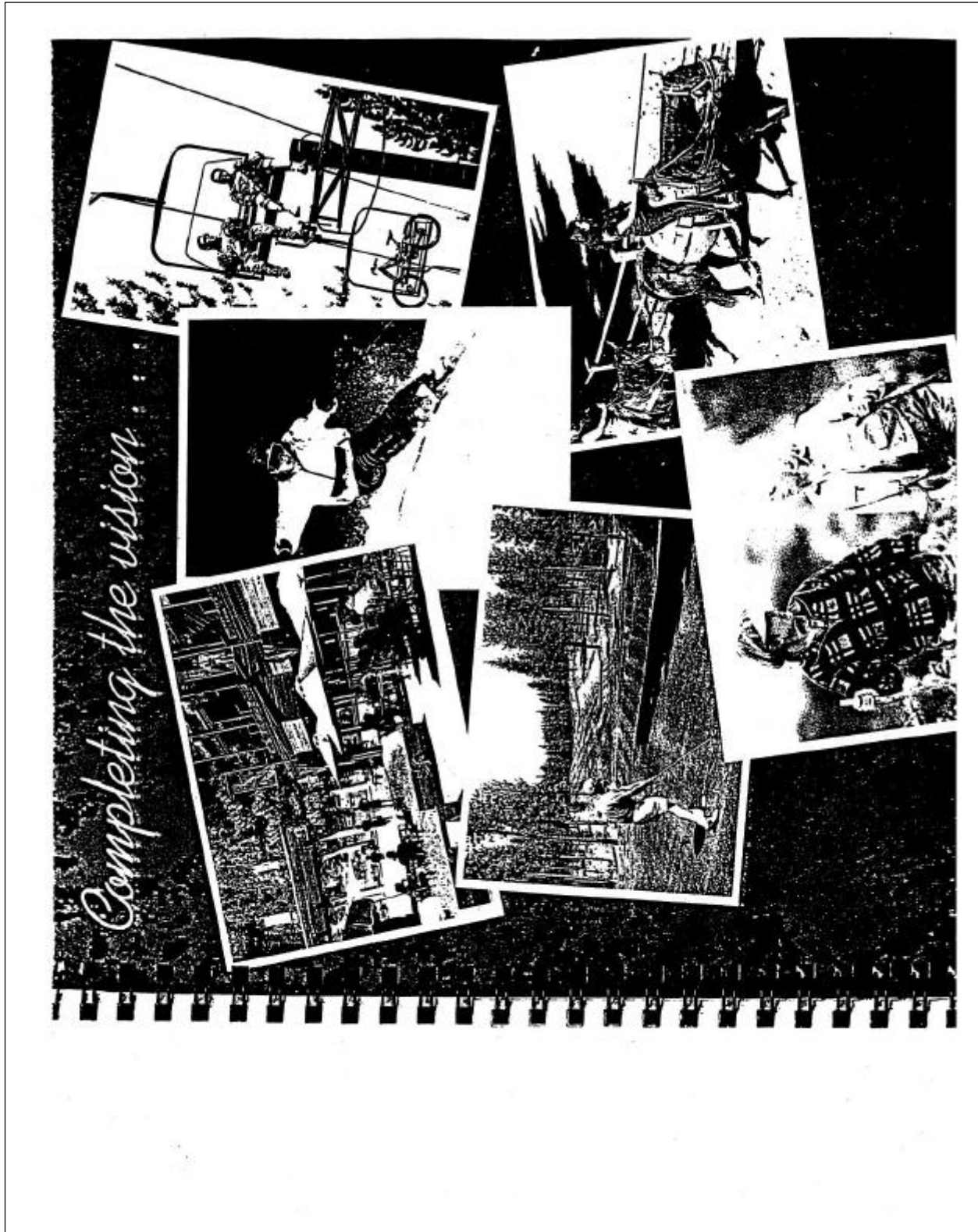
Tahoe Mountain Resorts | PO Box 3757 | Truckee, CA 96160-9937 | 800.754.3070
info@tahoemountainresorts.com

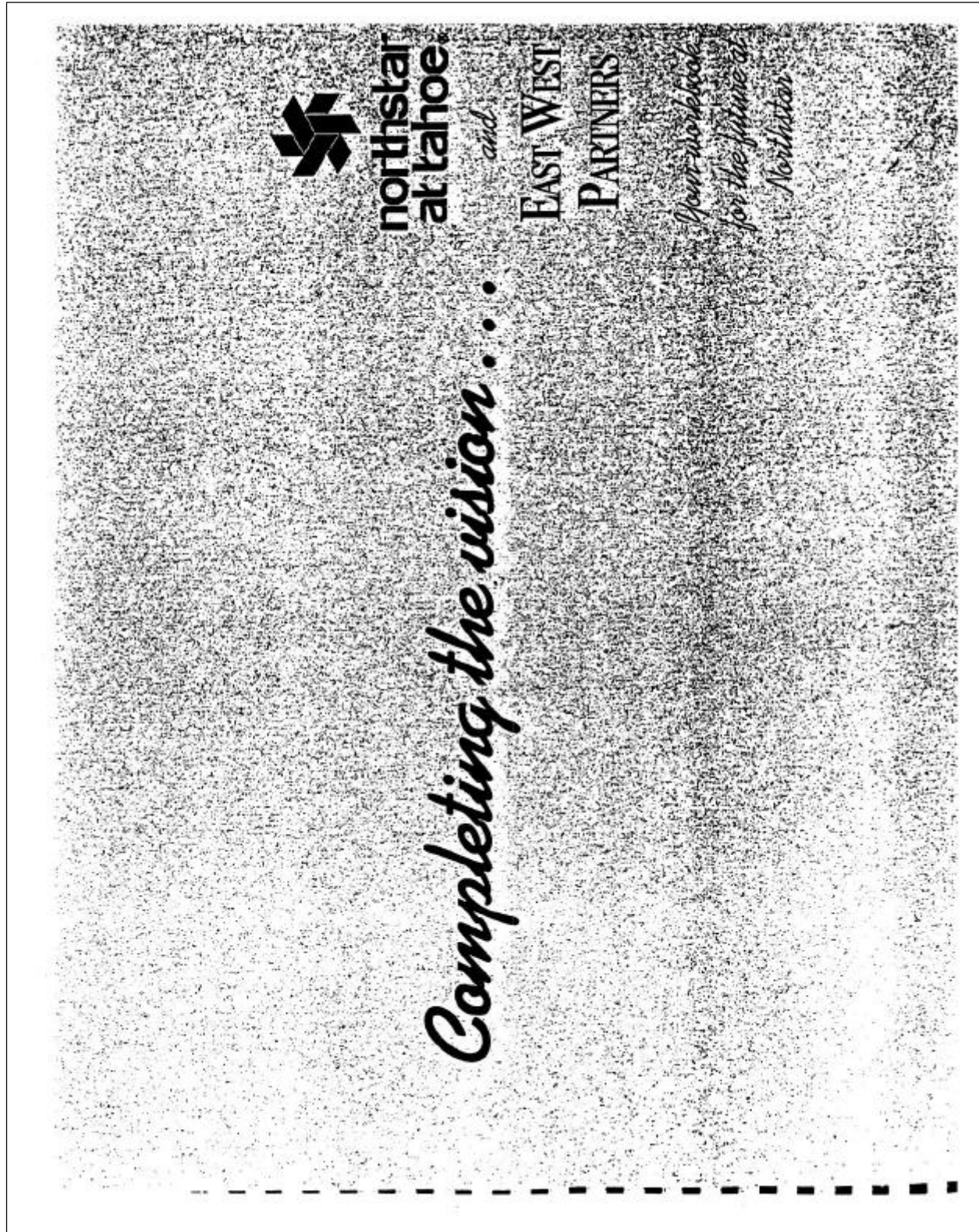
Website Design and Hosting by www.ewtechnology.com

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

EXHIBIT 9

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR






Completing the vision of Northstar...

Northstar is already a great place – and now it's going to get even better!

Northstar is a special place where people come to enjoy life, get away from the crowded city, enjoy nature, and play in the snow and the sun. It's a place to reconnect and to recreate. When Northstar opened in 1972, there was a vision of what the resort would one day become. Today, efforts are underway to complete that vision.

Creating a complete community

As Northstar looks to the future, it sees a need for the resort to remain vital and competitive by continuing to stay abreast of what individuals and families are looking for when they stay at a resort. Northstar has found that people's lifestyles are changing, and for many, the lines between work, play and leisure have blurred. Resorts are adjusting by becoming more complete communities where people can enjoy a stunning, natural setting, choose from an array of all-season, indoor and outdoor activities and amenities, and feel a sense of




"We need to remember we aren't starting from scratch. There's a community already here that people love."

Tim Silva is the General Manager of Northstar

community. Even though it's been 28 years since the resort first opened its doors, the vision of Northstar as a vital, complete community has never really changed.

Notes

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

| | Notes |
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| <p>Completing the vision—Page 2</p> <p>Collaborating with East West Partners Tahoe</p> <p>Northstar established the need to complete the vision of the community, then set out to locate a development partner who shares Northstar's values and goals. Following an extensive, national search, Northstar has named Colorado-based East West Partners to complete development of the resort's real estate holdings, using the original master plan as a guide. Northstar and East West, as joint venture partners, will work together to refine the long-term plan and collaborate with Northstar property owners, employers and surrounding residents to complete the original vision for the community. Completion of the plans could take up to 15 years.</p> <p>"Only a handful of companies have significant mountain resort development experience, and we knew from past experience in other mountain communities that East West Partners is the best fit," says Tim Silva, Northstar general manager.</p> <p>"But what makes East West different is</p> | <p><i>"We need to work closely with the Northstar community, employees and our neighbors."</i></p>  <p>Roger Lessman is the partner in charge of East West Partners' north Tahoe office.</p> <p>their sensitivity to local concerns and their willingness to go the extra mile in working with the community. We feel confident that this is a company that shares our values."</p> <p>According to Silva, each company will be doing what it does best. "Our expertise is in resort operations. We will work to develop a vision, and continue to ensure a fun, safe and playful environment that is surrounded by the best guest services. Our goal was to find a partner that is the best mountain resort developer, and we found it in East West Partners," said Silva.</p> |

| | |
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| <p>Completing the vision—Page 3</p> <p><i>Guiding Principles</i></p> | <p>As we begin work on completing the vision of Northstar, we all have many decisions to consider and choices to make. To be sure we are heading in the right direction, we have identified a number of principles that will guide our work:</p> <ol style="list-style-type: none"> 1. Respect for the community— Northstar is a home, and home-away-from-home, for many individuals and families. We promise to listen so that we can build the values and preferences of community residents into plans for the future of the resort. 2. Honoring our commitments—Both Northstar and East West Partners have strong financial backing, and that means staying power. Plans are important, but the long-term implementation of those plans is what counts. We will do what we say we are going to do. 3. Best year-round recreation— Whether it's skiing, snowboarding, golf or tennis, Northstar wants to offer Tahoe's best all-season recreation. <p>To do this, recreational enhancements must accommodate anticipated increases in skiers and resort visitors.</p> <ol style="list-style-type: none"> 4. Festive, fun, human-scale Village— In a recent survey of Northstar property owners, more than 75 percent said they would like to see more amenities and services in the Village. We are committed to creating a fun, human-scale Village that provides more of the services people say they want. 5. A better traffic plan that includes convenient, pedestrian oriented transportation—We want to create a better way of entering Northstar and better ways of getting around the community once you are here. To do that, we need to address existing problems and build convenient, pedestrian oriented transportation solutions into future development plans. 6. Creating a "community resort"— Northstar has a strong history of community. We are committed to a |
|--|--|

Notes

| <p>Completing the vision—Page 4</p> | <p>Notes</p> |
|--|--|
| <p>community resort – a unique mountain environment that provides recreation, hospitality, leisure and learning for the whole family.</p> <p>7. Respect for the environment— Northstar is a special mountain environment with tall trees, streams, creeks and wildlife. We will respect the land's natural features. Wetlands will be protected, tree removal will be minimized, and we will cluster new homes to ensure that more open space is preserved. Structures will be designed to fit into their natural surroundings. We will promote responsible use of the environment with programs that foster reconnecting with nature.</p> <p>8. Friendliest staff—Northstar is known for friendly staff. We respect our employees and listen to their concerns and input. Housing and recreation needs of our staff are a priority as we plan for the future.</p> | <div data-bbox="454 840 706 1228"> </div> <p>The future looks a lot like the present. It's important to preserve what makes Northstar a special place for families today.</p> <p>9. Built to last—Mountain environments are harsh, and special materials and construction techniques are required to ensure that buildings stand the test of time. But equally important to longevity is architectural style. The use of classic Sierra materials, such as stone and wood, and an emphasis on hand-crafted techniques, will ensure that buildings look as fresh in 30 years as they do today.</p> <p><i>Which principles are most important to you?</i></p> |

Completing the vision—Page 5

The Northstar community today...

What is Northstar all about? Putting it into just a few words isn't easy. People have many different ideas about what this community means to them. Here are some of the ideas that are mentioned most:

"Home away from home"

"Family orientation"

"Snow sports"

"Golf, swimming, tennis, mountain biking"

"Friendly employees helping people"

Snapshot of Northstar today

Of course Northstar is much more than numbers, but as we are making plans for the future, we need to add up where we are today:

- 1,428 homes, townhomes and condominiums at Northstar today.
- 8,000 total acres comprise the resort.
- 3,500 acres, approximately, are developed, with the bulk devoted to skiing, mountain biking, hiking and golf.
- 3,580 acres at Northstar are set aside as timber preserve and open space.
- 28 acres is approximately the size of



the Village.

- 500,000 skier visits occur, on average, at Northstar annually—65 percent are day skiers; 35 percent Northstar property owners.
- 70 percent of Northstar's visitors come from Northern California.
- 2,420 acres at Northstar and 70 trails are skiable today.
- 54 percent of the existing terrain is covered by the snowmaking system.



Home, family, all-year outdoor recreation—these are some features residents appreciate about Northstar.

Notes

| <p>Compiling the vision—Page 6</p> <p><i>Maps illustrate visions for the future . . .</i></p> <p>Proposed Northstar Improvements</p> <p>The first conceptual map that follows shows development improvements that are part of completing the vision of Northstar. See how these ideas incorporate the guiding principles outlined earlier.</p> <ul style="list-style-type: none"> • More than 75 percent of Northstar will be devoted to recreational use. • Trail networks for summer and winter use will link all areas of the community, including the Village. | <p><i>Notes</i></p> |
|---|--|
| <p>Northstar's tall trees, natural areas and all-season recreation are important today, and for the future.</p>  | <p>New recreation and amenities will be added as new neighborhoods are created.</p> <p>All-season recreation will be kept in balance with increases in the numbers of skiers and visitors.</p>  |

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



Completing the vision—Page 8

Enhanced mountain recreation . . .

Many enhancements to mountain recreation are shown on the second conceptual map on page 11. Visitors and homeowners alike expect the latest and best mountain recreational opportunities, services, events, programs and amenities, and Northstar works hard to deliver.

The most recent mountain improvements have included on-mountain restaurants, a children's snowsports center, state-of-the-art snowmaking and grooming equipment, new trails, snow toys and a nighttime adventure park.

With new neighborhoods being developed at Northstar in the future, even more recreational improvements are planned.

"We are committed to enhancing Northstar's all-season recreation to keep pace with anticipated increases in skiers and resort visitors," says general manager Tim Silva. Significant improvements in recreation, services and amenities are slated to occur at Northstar, both in the short-term, and in the long run.

\$10 Million in improvements

Just this season, Northstar is set to make \$10 million in mountain improvements. Planning and construction are already underway for significant increases in advanced ski terrain at Northstar's Lookout Mountain. In the 2000-2001 season, Northstar will open 200 additional acres of advanced terrain, including six new trails that are 1,200 vertical feet in length. The resort will also add a new high-



Advanced skiers can look forward to challenging new terrain with the opening of Lookout Mountain's new lifts and ski runs.

Notes

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

| Notes | See map for mountain improvements that are scheduled for the 2000-2001 season. |
|--|--|
| Completing the vision --Page 9 | <p>at PAW Parks for Kids.</p> <ul style="list-style-type: none"> • Faster, more efficient lift ticket sales from a new ticket structure in the Village. • A new guest services center in the Village where snowmobile tours and First Tracks reservations can be made |
| <p>speed quad lift, the Lookout Mountain Express. The current Lookout lift will be renamed Pioneer.</p> | <p>Long-term investments</p> |
| <p>More for the 2000-2001 season</p> | <p>For the future, Northstar is investigating mountain and operational improvements to enhance the overall guest experience. Planning work undertaken to date indicates that these are the types of investments that will be needed:</p> |
| <ul style="list-style-type: none"> • A new state-of-the-art rental shop on the plaza level of the Northstar Club in the upper village. | <p>A significant increase in the number of skiers lifted from the base of the mountain is contemplated. With new high capacity/ high speed lift technology, there would be a 54 percent increase in the number of skiers lifted from the base, rising from 4,300 to 9,300 skiers per hour.</p> |
| <p>This facility will feature all-new equipment inventory and a \$300,000 Snowell computerized tuning machine, to regularly sharpen and wax equipment. The facility will keep computerized guest data to save time on rentals.</p> | <p>Greater terrain diversity is contemplated—from gladed tree skiing, to open bowls, with a 60 percent increase in devel-</p> |
| <ul style="list-style-type: none"> • New snowmaking on Lookout Mountain, which will vastly improve early-season skiing. | |
| <ul style="list-style-type: none"> • Addition of a 17-foot halfpipe and an HPGR17 Superpipe Shaper. | |
| <ul style="list-style-type: none"> • Addition of "Homerun," a new trail to provide additional ski-in/ski-out access to the Big Springs area, as well as serve as an alternate way home at the end of the day. | |
| <ul style="list-style-type: none"> • An increase in the acreage and grooming | |

Completing the vision—Page 10

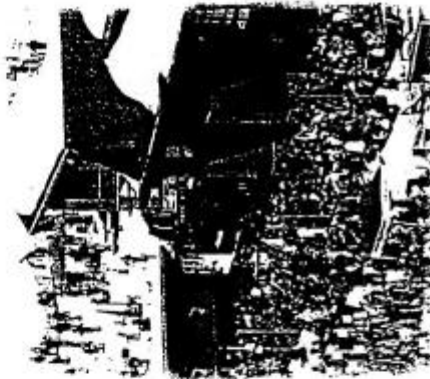
"The most dramatic near-term improvement Northstar skiers will notice is the opening of Lookout Mountain."

oped runs.

Access to untapped areas of Northstar will require new lifts, nearly doubling the number that exist today.

Even though the number of skiers would increase, "skier density" would decrease with the addition of new terrain.

Northstar also is investigating how new trails at the resort can tie into a regional trail system in the future.



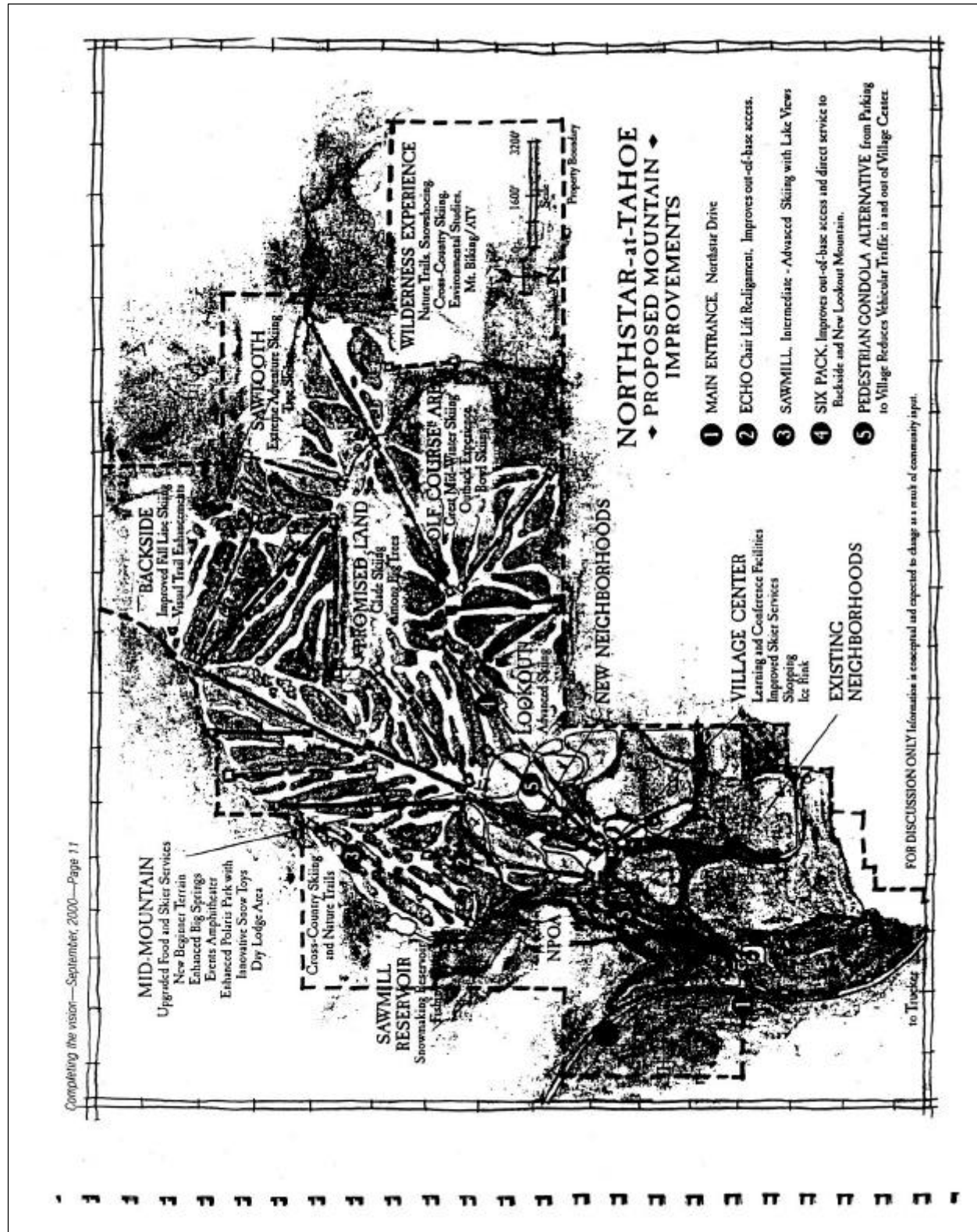
Northstar's parent company, Booth Creek Ski Holdings, has recently made significant investments to improve the guest experience, including new mountain restaurants, a children's snowsports center, state-of-the-art snowmaking expansions and grooming equipment, new trails, snow toys and a nighttime adventure park.



Tim Silva, Northstar General Manager, stands next to the new Lookout Mountain lift, under construction at Northstar. The new lift is scheduled to open in the winter of 2000-2001 and will serve the steepest terrain at Northstar to date. Combined with 1983 additions, Northstar will finally provide the variety of terrain needed for all skill levels.

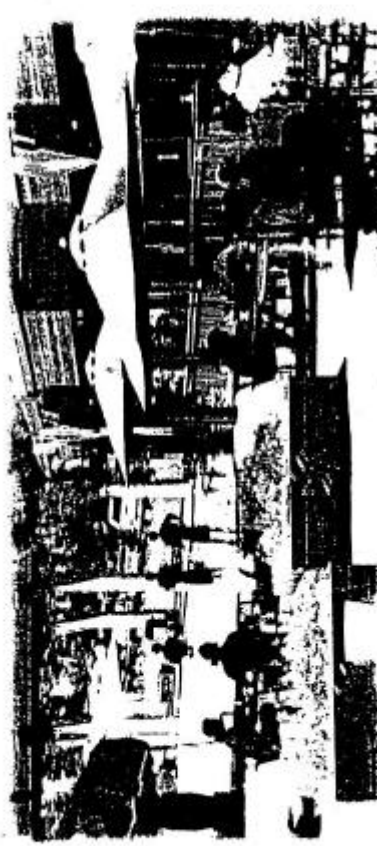
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3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



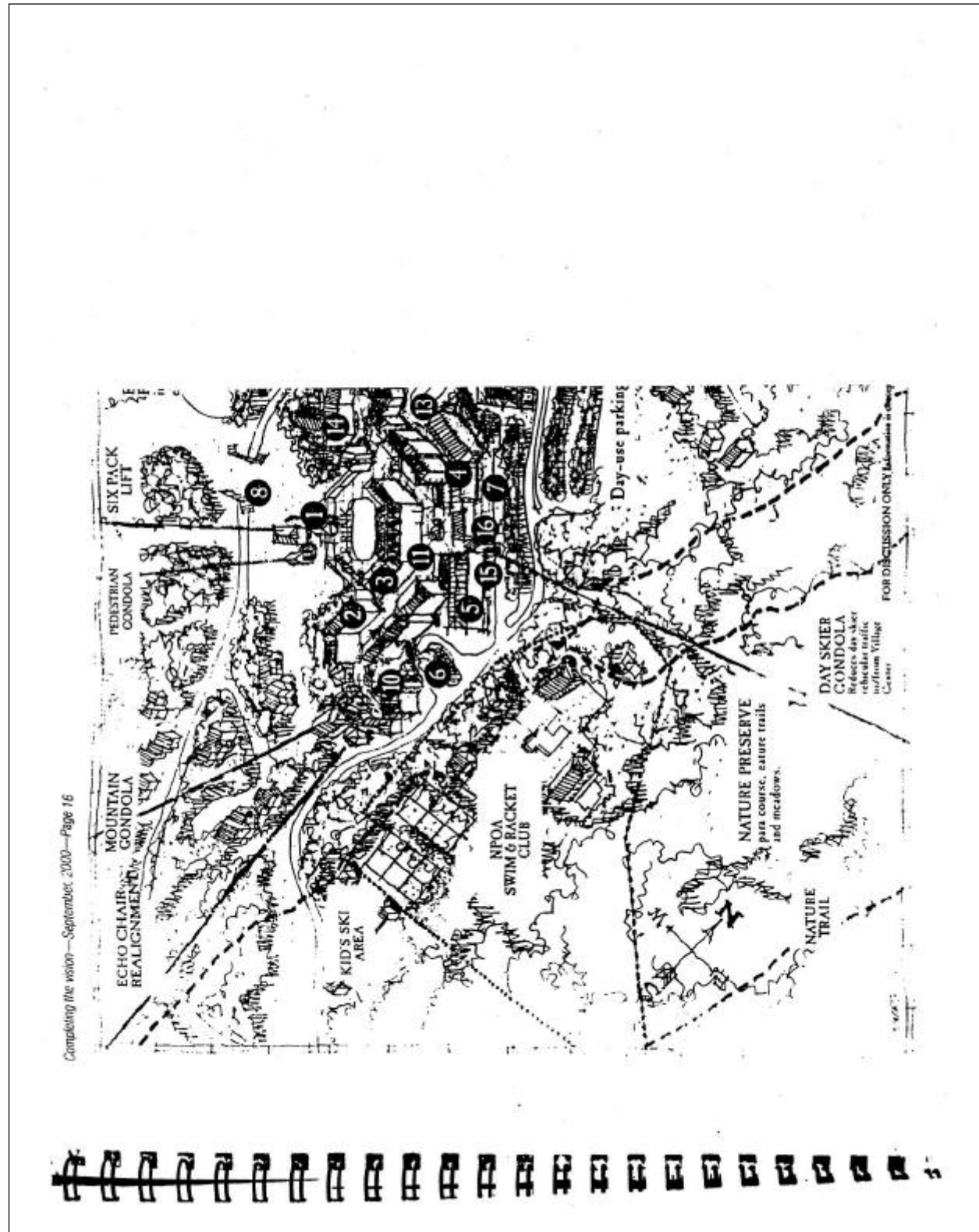
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| | <div data-bbox="456 863 1073 1251" data-label="Image"> </div> <div data-bbox="500 1329 529 1682" data-label="Section-Header"> <p>New neighborhoods, new amenities</p> </div> <div data-bbox="537 1281 800 1682" data-label="Text"> <p>Northstar is an all season resort. While mountain improvements are slated to occur, what about summer recreation? And what about other community amenities? Many existing Northstar property owners have asked if the addition of new neighborhoods will lead to overcrowding of community facilities.</p> </div> <div data-bbox="805 1493 833 1652" data-label="Text"> <p>The answer is no.</p> </div> <div data-bbox="837 1289 899 1682" data-label="Text"> <p>As new neighborhoods are created, new amenities will be developed as well.</p> </div> <div data-bbox="904 1281 1263 1682" data-label="Text"> <p>Discussions are underway with the Northstar Property Owners Association (NP/OA) concerning homeowner associations within the new neighborhoods, as well as management of and access to new recreational amenities. More extensive discussions are needed before a plan can be finalized. What can be said today is that Northstar's preference is to create one, united community with one homeowner association.</p> </div> <div data-bbox="1105 936 1256 1247" data-label="Text"> <p>As new homes are built at Northstar, existing facilities will be expanded and new amenities developed. Throughout the process of completing the vision of Northstar, the community will be invited to join in many decisions.</p> </div> |

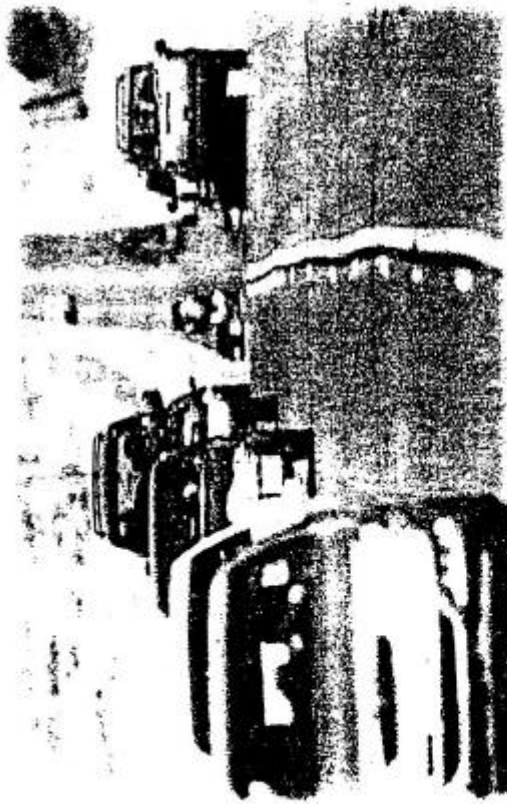


| <p>Completing the vision – Page 14</p> <p><i>"Having many people's residences right in the heart of the Village adds to the festive atmosphere and community spirit."</i></p> | <p><i>Notes</i></p> |
|---|---|
| <p>pursue other activities at a resort. The future of Northstar hinges on creating a community resort that has all the ingredients people are looking for in the future.</p> <p>While many activities will be spread throughout the resort – just as they are today – the Village will serve as the heart of the community. Whether the activity is fine dining, programs that help people reconnect with nature, educational and self-improvement programs and activities or retreats and conferences, the Village will serve as a</p> | <p>focal point and center for social gatherings.</p> <ul style="list-style-type: none"> • New Village residences <p>A key element of a festive village is increasing the number of residences throughout the village core. "Having many people's residences right in the heart of the Village increases the activity in the Village, which adds to the festive atmosphere and community spirit," says David Tirman who is East West Partners' project manager for the Village enhancements. "All the people</p>  |

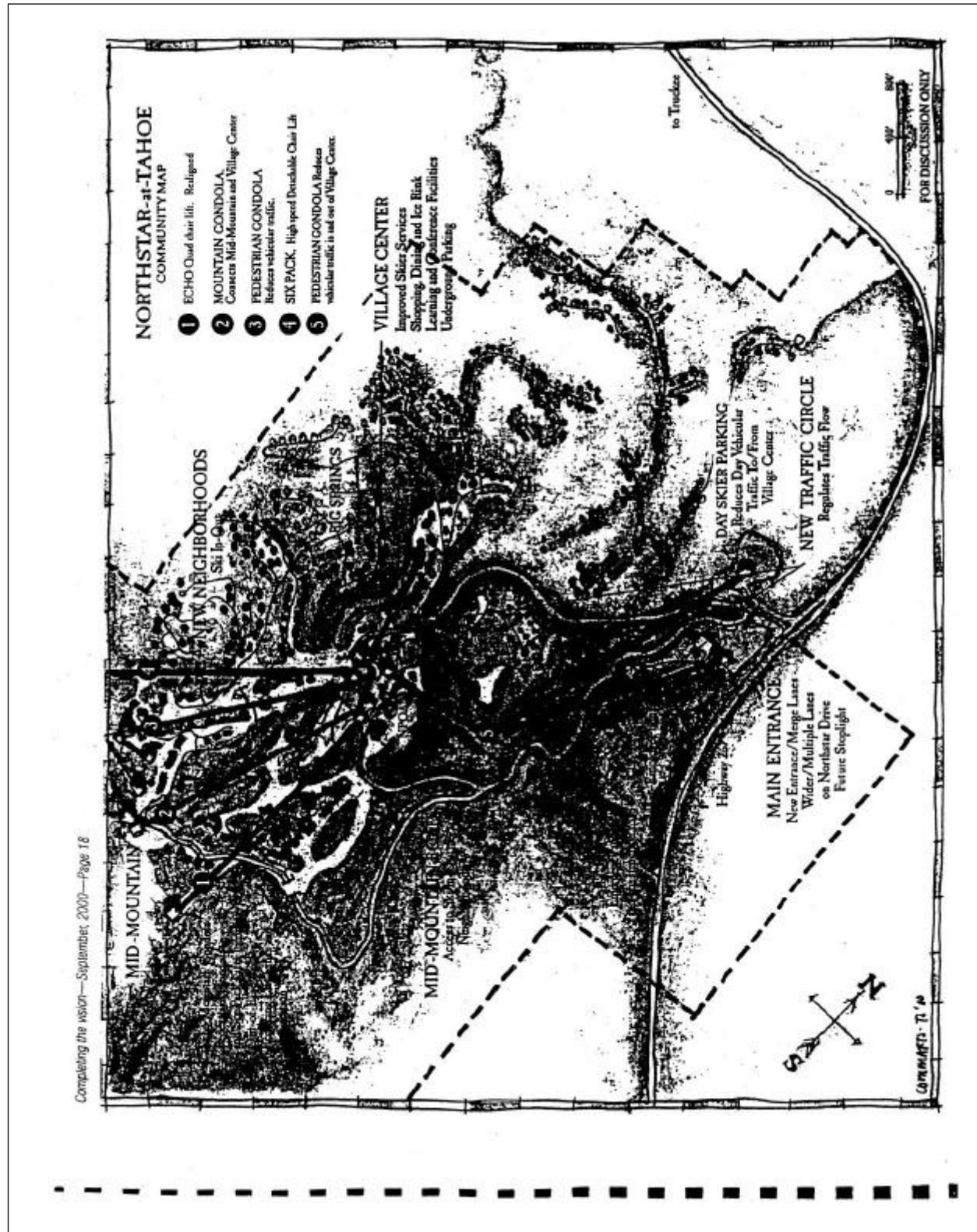
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| <p>Completing the Vision—Page 15</p> | <p>whose condominiums will be in the Village will create foot traffic as they walk to and from shops and restaurants and the ski lifts, as they sit outside around a roaring fire, or on outdoor balconies overlooking the Village's main street, and participate in the various learning and social experiences centered at the Village.</p> <p>"Increasing the number of people and residences in the village core is perhaps the most important element of the Village enhancements, because all the other improvements depend upon having enough people." Initial plans call for 200 new housing units in the core village, with a mixture of ownership options.</p> <ul style="list-style-type: none"> • Rustic architectural style Village architecture will be inspired by the grand lodge designs at national parks like Yosemite and Yellowstone. There will be varied roof pitches and building heights, traditional dormer windows and overhangs, constructed with natural stone and wood. Buildings will vary in height and will be situated to allow the maximum amount of | <p>sunlight in public gathering places.</p> <ul style="list-style-type: none"> • Underground village parking, improved drop-off To make the village work as a pedestrian friendly environment, cars must be minimized. But adding residences creates the need for more parking. To resolve this, underground parking will be created beneath the village core. Enhancements also call for an improved drop-off area at the Village to keep traffic flowing smoothly. Many devices will be used to even out terrain so that skiers can avoid steps and hills, including the possibility of outdoor escalators. |
| <p>Notes</p> | <p>Note the specific amenities on the conceptual map of the Village on page 16</p> |  |

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



| Getting around Northstar . . . | | Notes |
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| <p>Auto and Pedestrian Circulation</p> <p>The traffic and circulation map that follows outlines a number of road, parking and trail improvements that will increase ease of circulation for residents and visitors to Northstar. Take the time to review the map carefully and make notes of your comments and ideas.</p> |  | |
| <p>A number of road and pedestrian improvements will make it easier to get to Northstar, and easier to get around once at the resort.</p> | | |

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



Completing the vision—Page 19

What's next? Help us plan...

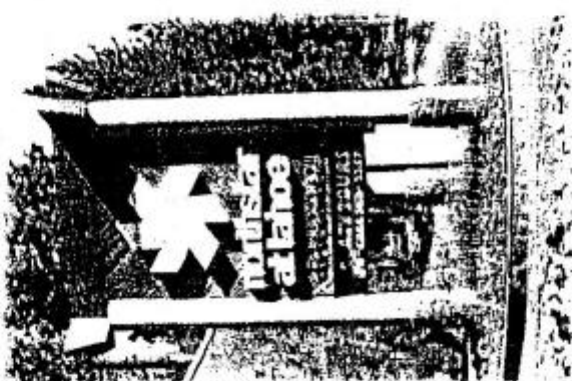
Both Northstar and East West Partners of Tahoe are committed to involve the community in every aspect of completing the vision at Northstar. Using the information and conceptual maps provided in this workbook, you can collect your own thoughts, ideas and questions in the "Notes" spaces provided.

In this way, you can be prepared to make your participation in the process as effective as possible. We appreciate your investment of time and interest and look forward to working together.

Property Owner Advisory Committee

The Northstar Property Owners Association (NPOA) has set up the Northstar Development Advisory Committee (NDAC). East West Partners and Northstar are working closely with this committee, which is comprised of close to twenty individuals representing a cross-section of the Northstar property owner community and individual homeowner associations.

East West and Northstar have also held



meetings with individual condominium associations.

First step is Village enhancements

The village center plans are the first step in the development process. Northstar and East West Partners are

Notes

Make sure you're on the mailing list to receive regular updates.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

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| <p>Completing the vision – Page 20</p> <p>submitting an application to Placer County to launch the formal review process for the village enhancements. Plans will be thoroughly reviewed by the County, and the county process provides many opportunities for the community to provide input and for plans to be refined. The goal is to launch construction of the first phases of the village enhancements beginning in the spring of 2001.</p> <p>Employee housing is priority</p> <p>An application is being submitted to Placer County to construct a 300-bed on-site housing complex for employees. "Northstar is known for our friendly, capable employees," says Northstar's Silva. "Providing housing for employees is critical to attracting the best people." The housing complex will be located on a site screened by trees near the Northstar administrative center. It is anticipated that construction of the employee housing would occur during the summer of 2001.</p> | <p>Feedback on conceptual plans</p> <p>Northstar and East West Partners are generating preliminary conceptual plans in order to gain input and solve problems. Initial concepts are outlined in this booklet and will be refined as comments and input are obtained from Northstar property owners, nearby community residents and Placer County officials. Several preliminary versions of plans will be produced.</p> | <p><i>Notes</i></p> <p><i>Please note: Information contained in this workbook is conceptual only, and is expected to change as we gain public input.</i></p> |
|---|--|--|

Completing the vision - Page 21

Completing the vision: The Northstar Team...

Northstar

P.O. Box 129, Truckee, CA 96160
530-562-1010

From its opening in 1972, Northstar-at-Tahoe has earned a reputation as the region's premier family resort. The property was originally owned and developed into a ski resort by Fibreboard Corporation.

Though in its early days Northstar was chiefly known as an intermediate and beginner area, that changed in 1983 with development of the long, steep runs on Northstar's back side.

Today, the resort is a destination for skiers and snowboarders of all levels.

Northstar is ranked third in skier day volume in the Tahoe area. It is the Sierras' most complete, year-round, resort master planned community. Northstar is one of the few ski resorts in the U.S. to operate on private land. Northstar has repeatedly been ranked one of the top 10 family resorts in the nation.

Booth Creek Ski Holdings, Inc.

9705 Highway 267, Suite 3, Truckee, CA 96161
530-550-5100

Booth Creek is Northstar's parent company, purchasing the resort in 1996. Since that time, Booth Creek has made more than \$15 million in investments at Northstar. Booth Creek is the fourth largest ski resort owner and operator in North America.

The company owns distinctive regional resorts located within 200 miles of major metropolitan areas. Booth Creek employs more than 5,700 people during peak season. Booth Creek's resorts collectively logged approximately 2.4 million skier visits this past season. In California, Booth Creek owns and operates Northstar, Sierra-at-Tahoe and Bear Mountain.

East West Partners

P.O. Box 2537, Truckee, CA 96160
530-587-2222

East West Partners is an acclaimed mountain resort and planned community developer, best known for its work in Colorado. East West is a family of related, independent companies specializing in building, selling, managing, financing and supporting high quality real estate communities.

Over the past two decades, the company has developed primary residential planned communities, resort properties that combine residential with recreational facilities, and club, recreation and hospitality facilities. East West has won two major Urban Land Institute awards. No other company in the nation has received two such awards. East West's north Tahoe office is headed by Roger Lessman.

"More information about completing the vision of Northstar will be available on the new web site at <http://www.northstarvillage.com>"

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

EXHIBIT 10

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Truckee River Watershed Council

530-550-8750 (tel)
530-550-8761 (fax)

Truckee River Watershed Baseline Assessment (Middle Truckee)

March 2002

TRUCKEE RIVER WATERSHED BASELINE ASSESSMENT

GOAL: collect, organize, and summarize existing scientific and cultural information to form the basis for further assessment and development of a watershed management and implementation plan for the Middle Truckee watershed.

Sponsored by the Truckee River Watershed Council and supported, in part, by funding from the State of California Resources Agency through the UC Davis Public Service Research Program and the California Department of Conservation Watershed Coordinator Grant Program.

Version 1.0

In 1998, a local group of interested individuals, agency personnel, local business owners and others formed a Coordinated Resource Management & Planning group (CRMP). The group came together to develop and implement a locally initiated watershed assessment and resource management plan for the Middle Truckee River.¹

To better reflect its long-term watershed management goals, the CRMP group changed its name to the **Truckee River Watershed Council** (TRWC) in 2001.

One of the Council's first tasks was to begin a watershed assessment process. To launch the process, the TRWC contracted with consultant Tom Lagerquist of Peregrine Environmental (Folsom, CA) to identify, collect and begin analyzing existing socio-political, physical, biological, and other data on the watershed. The work of Peregrine Environmental was continued by Kerri Timmer of Sierra Connections (Grass Valley, CA) and is presented here as a baseline assessment, giving us an overview of key watershed conditions and trends as we know them today.

The baseline assessment was reviewed by and is a product of the participants of the Truckee River Watershed Council. It is designed to help the Council and others understand the watershed as a whole and begin prioritizing areas within the watershed for further study. It is not intended to identify specific problem sites or locations nor to outline any particular action at this time. That work will come later after more detailed analysis and planning.

The next step for the Watershed Council is to use this data to evaluate subwatersheds within the Middle Truckee and start identifying specific opportunities for action and developing recommended management strategies to address larger issues or concerns in the watershed. That step will lead to a more comprehensive watershed management plan that can be agreed upon by all members of the TRWC.

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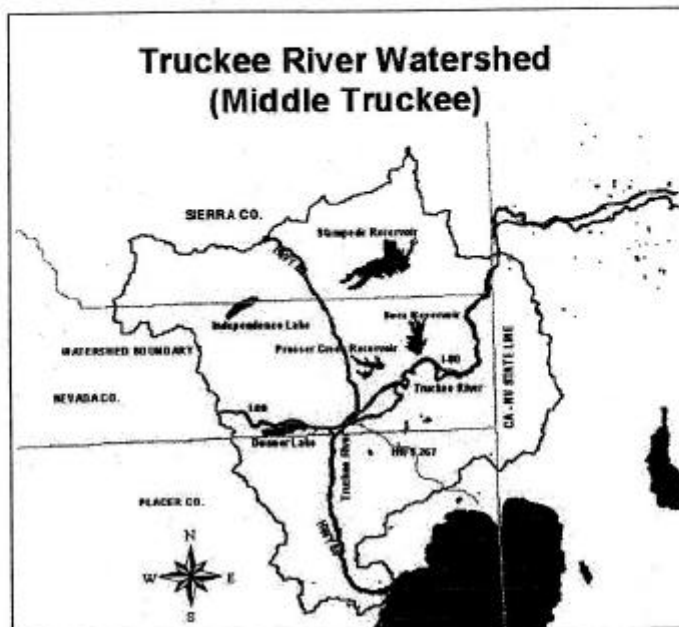
¹ The Truckee River has its headwaters in California's Sierra Nevada mountains, from which it flows into the southern end of Lake Tahoe. Some maps designate this portion of the river as the **Upper Truckee**. The portion of river that flows from the outlet at Tahoe City to the California-Nevada state line is often referred to as the **Middle Truckee** (see map, next page). The river from the California-Nevada state line to its terminus in Pyramid Lake is typically referred to as the **Lower Truckee**.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Truckee River Baseline Watershed Assessment – An Overview

March 2002

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The Council's primary area of focus is the 35-mile stretch of river that runs northeast from Tahoe City to the California/Nevada state line. The Middle Truckee watershed – the area draining into the Middle Truckee River – covers approximately 435 square miles, or 285,000 acres of land, most of which is in California.

About 16% of the Middle Truckee drainage, including the eastern portions of the Gray and Bronco creek drainages, sits across the state line in Nevada. The so-called "Lower" portion of the watershed continues beyond the state line, where the river flows for another 80+ miles to its terminus in Pyramid Lake, Nevada.

The change in the river's elevation from the outlet at Tahoe City [elev. 6,200 ft.] to the state line [elev. 5,050 ft.], contributes to a wide range of land uses, soil/geology/vegetation types, population densities, species diversity, and other characteristics within the watershed, all of which need to be understood in order to plan effectively for the future.

It is the intent of the Truckee River Watershed Council to use this assessment and other information to help improve watershed planning and management in the Middle Truckee watershed.

EXHIBIT 11

EPA

global warming

United States Environmental Protection Agency

climate

emissions

impacts

actions

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Climate Change and Mountain Regions

Introduction | Risks to Habitat | Effect on Freshwater | Impacts on Glaciers

Visit a case study on the impacts of climate change on the US Western Mountains and Plains

Introduction

Mountains cover close to 20 percent of the Earth's surface, providing a home to approximately one-tenth of the global human population. With their varied topography, steep gradients, and ecological isolation, mountains support a higher diversity of ecosystems and a larger percentage of endemic [see [glossary](#)] species than most lowland regions do. Mountainous areas throughout the world provide essential resources such as timber, minerals, recreational escapes, and a significant portion of the freshwater consumed by humans.

The contiguous United States has two primary mountain regions: the western ranges (including the Sierra Nevada, the Cascade Range, the Rocky Mountains, and various other distinct ranges) and the eastern Appalachians. The headwaters of the Missouri, Columbia, Salmon, Colorado, Rio Grande, Hudson, and other great rivers are found in the mountains of the United States.

Risks to Habitat

Global climate change poses a number of potential risks to mountain habitats, although scientists cannot predict the impacts with confidence. Despite the uncertainties, researchers expect that over time, climate change generally to affect mountain and lowland ecosystems, the frequency and intensity of forest fires, the distribution of water, and the diversity of wildlife.

Studies suggest that a warmer climate in the United States would cause lower-elevation habitats, such as western Douglas fir forests, to expand into the higher alpine zone. Such a shift would encroach on rare alpine meadows and other high-altitude habitats. High-elevation plants and animals have limited space available for new habitat as they move higher on mountains in response to long-term changes in temperature.

Effect on Freshwater

Changes in the depth of mountain snowpacks and glaciers, and changes in their seasonal melting, can have powerful impacts on areas that rely on freshwater runoff from

<http://www.epa.gov/globalwarming/impacts/mountains/index.html>

mountains. Rising temperatures may cause snow to melt earlier and faster in the spring, shifting the timing and distribution of runoff. These changes could affect the availability of freshwater for natural systems and human uses, such as agriculture.

If freshwater runoff is reduced in the summer months because of earlier melting, soils and vegetation may become drier, increasing the risk and intensity of wildfires. Changes in stream flow and higher water temperatures also could affect insects and other invertebrates that live in streams and rivers, with repercussions up the food chain for fish, amphibians, and waterfowl.

Impacts on Glaciers

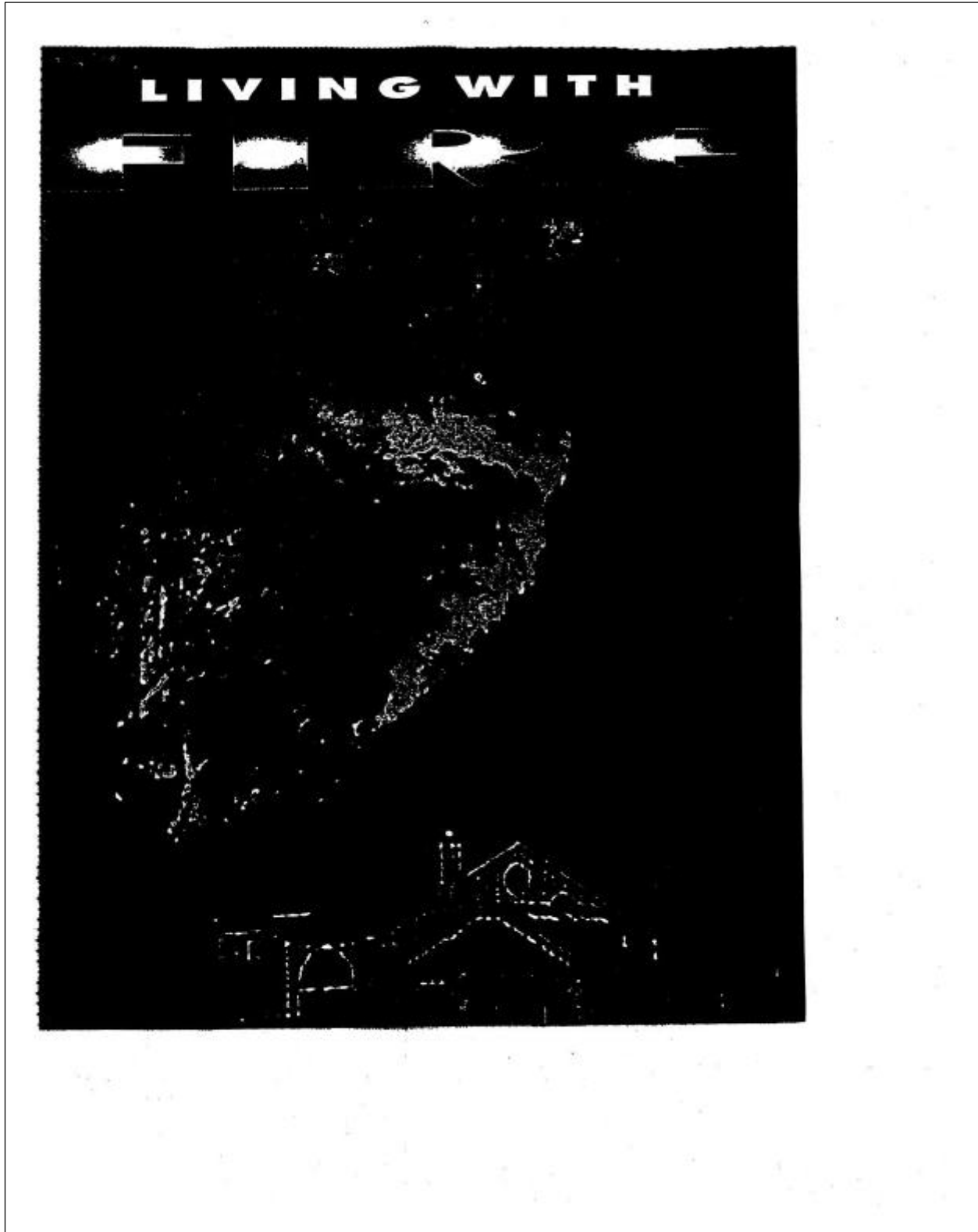
Changes in climate already are affecting many mountain glaciers around the world. In Montana, Glacier National Park's largest remaining glaciers are now only a third as large as they were in 1850, and one study estimates that all glaciers in the park may disappear completely in the next 30 years. Researchers have documented rapid mountain glacier retreat in Greenland, the European Alps, the Himalayas, Ecuador, Peru, Venezuela, New Guinea, and East Africa, among other places.



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Last Updated on September 25, 2001

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR


EXHIBIT 12



3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LIVING WITH FIRE

IN SAN MATEO COUNTY



Mission Statement, Fire Safe San Mateo County


The Mission of Fire Safe San Mateo County is to maintain the quality of life and property for the citizens living in the wildland-urban interface zones of San Mateo County. Working together, we can achieve effective fire prevention, education and planning.

The key elements of the Mission are to reduce hazardous vegetation, the creation of defensible space around structures, and the education of citizens regarding fire hazards and fire behavior through the guidance of local agencies.

Much of San Mateo County is considered a high hazard fire environment. Based on past experience, this area possesses all the ingredients necessary to support large, intense, and uncontrollable wildfires.

Within this hazardous environment, there are individual houses, subdivisions, and entire communities. Many of these homeowners, however, are ill prepared to survive an intense wildfire. Since it is not a question of "if" a wildfire will occur but "when," the likelihood of human life and property loss is great and growing.


There is increasing recognition that our ability to live more safely in this fire environment depends upon "pre-fire activities." Pre-fire activities are actions taken before a wildfire occurs which improve the survivability of people and homes. They include proper vegetation management around the home (known as defensible space), use of fire resistant building materials, appropriate subdivision design, and other measures. Research clearly demonstrates that pre-fire activities save lives and property.



The pre-fire activities implemented by this homeowner included a green and well-maintained landscape, reduction of additional vegetation around the perimeter of the property, a fire resistant roof, and a good access road with a turn-around area. As seen in the photo, these pre-fire activities were effective.

THE "WHY WE'RE WORRIED ABOUT WILDFIRE" EQUATION

| | | | | | | | | |
|--|---|---|---|---|---|--|---|--|
| Fire is a natural part of our environment. Our forests, shrublands and grasslands were burning long before there was an urban interface. | + | People are living in this fire environment. Many homes are built and maintained without regard to wildfire. | + | There is a greater chance of fire starts. With more people using our wildlands, more fire ignitions are likely. | + | Today's wildfire risk multiplies the threat. | = | Greater loss of life. Increased property losses. Damage to natural resources. More money spent on firefighting. |
|--|---|---|---|---|---|--|---|--|



2

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



THE LIMITATIONS OF WILDLAND FIREFIGHTING

A lot of people assume that when a wildfire starts, it will be quickly controlled and extinguished. This is an accurate assumption 97% of the time. For most wildfires, firefighters have the ability, equipment, and technology for effective fire suppression. But 3% of the time wildfires burn so intensely that there is little firefighters can do. Preserved of right are firefighter tactics as they relate to wildfire flame length.



When wildfire flame lengths exceed 11 feet, direct firefighting efforts are ineffective. Under these conditions firefighters use roads, streams, and other barriers to control the wildfire.

| FLAME LENGTH | EFFECTIVE FIRE SUPPRESSION TACTICS * |
|-----------------|---|
| Less than 4 ft | Fireline constructed with hand tools, such as shovels and axes, can be effective at the front of the fire. |
| 4 to 8 ft | Bulldozers and other heavy equipment will be needed to construct an effective fireline. Where bulldozers are not available, fire engines with hoses and water will be required to "knock down" the flames before the fire crews with hand tools can be effective. Or fire crews must construct a fireline at a considerable distance from the fire. |
| 8 to 11 ft | Airtankers with fire suppressing retardant or helicopters with water are required to reduce the fire's rate of spread before fireline construction by crews or bulldozers can be effective. |
| More than 11 ft | Direct fire suppression efforts will be ineffective. Retardant spraying roads, streams and other barriers. Burn out fuels between the fireline and the advancing fire front. |

IMPROVE THE ODDS: CREATE A... **DEFENSIBLE SPACE**

In most areas, a safety zone should be cleared away from your home for a distance of not less than 30 feet. As the slope of your lot increases, additional clearance as far out as 100 feet or more may be necessary. Flammable vegetation too close to your home will make it almost impossible for firefighters to save your home in the event of a brush fire.

San Mateo County Fire Safe Committee recommends the following ways to maintain a defensible space between homes and flammable vegetation and combustible growth:

- Clear away flammable vegetation and combustible growth a minimum of 30 feet away from homes. If a wooden deck is part of the back of the home, this 30-foot distance starts from the edge of the deck outward. Brush and weeds must be cut to the ground, raked up, and removed from the property. Single specimens of trees and shrubbery used as ground cover, provided that they don't form a means of rapidly transmitting fire from the native growth to any structure, can be kept in this 30-foot space.
- Trim trees horizontally to at least 10 feet away from the home and decks. If a homeowner wishes to keep a tree within this 10-foot distance they must trim any nearby trees a minimum of 10 feet away from this tree within this first 30-foot space.
- Large trees must be limbed up to a minimum of six feet above the ground and smaller trees limbed up proportionately.
- Homes that have any type of slope must have an additional defensible space created.
- This distance must be an additional minimum of 70-foot space in addition to the first 30 feet for a total of 100 feet. In this additional 70-foot space, the vegetation should be cut so that it is not more than 18" above the ground. The cut vegetation can be left in place as long as it is mulched down. Trees within this 70-foot space should also be limbed up a minimum of 6 feet above the ground for large trees and proportionately for smaller trees. Flammable vegetation and combustible growth should be cut and removed from below the canopies of the trees in this 70-foot space. Refer to the step-by-step process beginning on page 6 to create a defensible space.

Defensible Space Factor Study: Findings from the California Paint Fire

| Characteristics of Structure and Site | Probability that Structure Survived |
|--|-------------------------------------|
| Wood roof, <30' of defensible space, no defensive action taken | 4% |
| Wood roof, <30' defensible space | 15% |
| Wood roof | 19% |
| Non-wood roof | 70% |
| Non-wood roof, >30' defensible space | 90% |
| Non-wood roof, >30' defensible space, defensive action taken | 99% |

FREQUENTLY ASKED QUESTIONS ABOUT DEFENSIBLE SPACE



One and more houses are being built in high fire hazard areas.

As the number of people living in and adjacent to wildlands grows, the likelihood of fires being threatened by wildfire also grows. A critical factor in determining whether or not some will survive a wildfire is the type, amount, and maintenance of vegetation surrounding the house. In the 1980's, the term "defensible space" was coined to describe vegetation management practices aimed at reducing the wildfire threat to homes. This article responds to some of the commonly asked questions about defensible space.

WHAT IS DEFENSIBLE SPACE?

Defensible space refers to that area between a house and an oncoming wildfire where the vegetation has been modified to reduce the wildfire threat and so provide an opportunity for firefighters to effectively defend the house. Sometimes, a defensible space is simply a homeowner's properly maintained backyard.

WHAT IS THE RELATIONSHIP BETWEEN VEGETATION AND WILDFIRE THREAT?

Many people do not view the plants growing on their property as a threat. But in terms of wildfire, what is growing adjacent to their homes can have considerable influence upon the survivability of their houses. All vegetation, including naturally occurring native plants and ornamental plants in the residential landscape, is potential wildfire fuel. If vegetation is properly modified and maintained, a wildfire can be slowed, the length of flames shortened, and the amount of heat reduced, all of which assist firefighters to defend the home against an oncoming wildfire.

HOW DO I CHANGE THE VEGETATION ON MY PROPERTY TO REDUCE THE WILDFIRE THREAT?

The objective of defensible space is to reduce the wildfire threat to a home by changing the characteristics of the adjacent vegetation. Defensible space practices:

- increase the moisture content of vegetation,
- decrease the amount of flammable vegetation,
- shorten plant height,
- alter the arrangement of plants.

This is accomplished through the "Three R's of Defensible Space". The article "Creating an Effective Defensible Space" provides detailed information about changing vegetation characteristics for defensible space.

THE FIRE DEPARTMENT IS SUPPOSED TO PROTECT MY HOUSE. SO WHY BOTHER WITH DEFENSIBLE SPACE?

Some individuals incorrectly assume that a fire engine will be parked at their driveway and firefighters will be actively defending their homes if a wildfire approaches. During a major wildfire, it is unlikely there will be enough firefighting resources available to defend every home. In these instances, firefighters will likely select homes they can safely and effectively protect. Even with adequate resources, some wildfires may be so intense that there may be little firefighters can do to prevent a house from burning. The key is to reduce fire intensity as wildfire nears the house. This can be accomplished by reducing the amount of flammable vegetation surrounding a house. Consequently, the most important person in protecting a house from wildfire is not a firefighter, but the property owner. And it's the action taken by the owner before the wildfire occurs (such as proper landscaping) that is critical.

DOES DEFENSIBLE SPACE REQUIRE A LOT OF BARE GROUND IN MY LANDSCAPE?

No. Unfortunately, many people have this misconception. While bare ground is certainly effective in reducing the wildfire threat, it is unnecessary and unacceptable due to appearance, soil erosion, and other reasons. Many homes have attractive, well-vegetated properties that also serve as effective defensible space.

DOES CREATING A DEFENSIBLE SPACE REQUIRE ANY SPECIAL SKILLS OR EQUIPMENT?

No. For the most part, creating a defensible space employs routine gardening and landscape maintenance practices such as pruning, mowing, weeding, plant removal, appropriate plant selection, and irrigation. The necessary equipment consists of common tools like a chain saw, pruning saw, pruning shears, loppers, weed-eater, shovel, and a rake. A chipper, compost bin, or a large rotted trash dumpster may be useful in disposing of unwanted plant material.



HOW BIG IS AN EFFECTIVE DEFENSIBLE SPACE?

Defensible space size is usually expressed as the distance from the house in which vegetation is managed to reduce the wildfire threat. The necessary distance for an effective defensible space is not the same for everyone, but varies by slope and type of wildland vegetation growing near the house. See the article entitled "Creating An Effective Defensible Space" for specific information.

DOES DEFENSIBLE SPACE MAKE A DIFFERENCE?

Yes. Investigations of homes threatened by wildfire indicate that houses with an effective defensible space are much more likely to survive a wildfire. Furthermore, homes with both an effective defensible space and a nonflammable roof (composition shingles, tile, metal, etc.) are many times more likely to survive a wildfire than those without defensible space and flammable roofs (wood shakes or shingles). These conditions give firefighters the opportunity to effectively and safely defend the home.

DOES HAVING A DEFENSIBLE SPACE GUARANTEE MY HOUSE WILL SURVIVE A WILDFIRE?

No. Under extreme conditions, almost any house can burn. But having a defensible space will significantly improve the odds of your home surviving a wildfire.

WHY DOESN'T EVERYONE LIVING IN A HIGH WILDFIRE HAZARD AREA CREATE A DEFENSIBLE SPACE?

The specific reasons for not creating a defensible space are varied. Some individuals believe "it won't happen to me". Others think the costs (time, money, effort, loss of privacy, etc.) outweigh the benefits. But some have failed to implement defensible space practices because of lack of knowledge or misconceptions.

THE THREE R's OF DEFENSIBLE SPACE

| | |
|--------------------|---|
| Removal | This technique involves the elimination of entire plants, particularly trees and shrubs, from the site. Examples of removal would be the cutting down of a dead tree or the cutting out of a flammable shrub. |
| Reduction | The removal of plant parts, such as branches or leaves, constitute reduction. Examples of reduction are pruning dead wood from a shrub, removing low tree branches, and mowing dried grass. |
| Replacement | Replacement is the substitution of less flammable plants for more hazardous vegetation. For example, removal of a dense stand of flammable shrubs and planting an irrigated, well maintained flower bed would be a type of replacement. |

CREATING AN EFFECTIVE DEFENSIBLE SPACE* ...A Step-by-Step Guide

Are you worried about the wildfire threat to your home, but aren't sure how to get started in making your home defensible? Then follow these six steps to an effective defensible space...

HOW BIG IS AN EFFECTIVE DEFENSIBLE SPACE?

The size of the defensible space area is usually specified as a distance extending outward from the sides of the house. This distance varies by the type of wildland vegetation growing near the house and steepness of the terrain.

For example, if your property is surrounded by wildland grasses, and is located on flat land, your

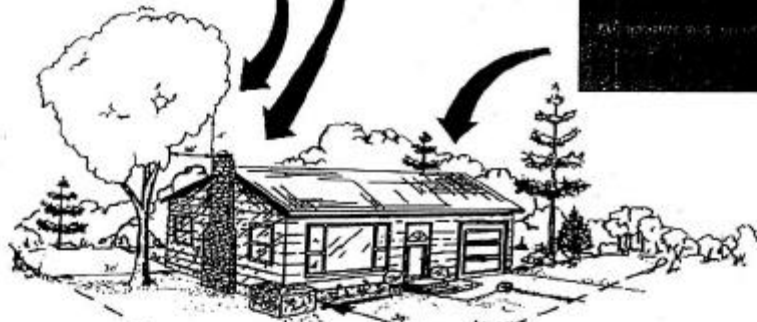
recommended defensible space distance would extend out 30 feet from the sides of the house. If your house sits on a slope and the adjacent wildland vegetation is dense tall brush, your recommended defensible space distance would be 100 feet.

If the recommended defensible space goes beyond your property boundaries, contact the adjacent property owner and work cooperatively on creating a defensible space. The effectiveness of defensible space

increases when multiple property owners work together. The local arsonist's office can provide assistance if the owners of adjacent properties are unknown. Do not work on someone else's property without their permission.

Temporarily mark the recommended distance with flagging or strips of cloth tied to shrubs, trees, or stakes around your home. This will be your defensible space area.

REMOVE
1) Limbs within 10' of chimney
2) Dead limbs which overhang building



California Department of Forestry
and Fire Protection
Public Resources code 4291

- STEP 1) Find the percent slope which best describes your property.
- STEP 2) Find the type of vegetation which best describes the wildland plants growing on or near your property.
- STEP 3) Break up continuous vegetation.
- STEP 4) Determine whether or not there are ladder fuels present.
- STEP 5) Create a 30-foot wide "lean, clear and green" area.
- STEP 6) Maintain the vegetation within the defensible space.

REDUCE

Amount of flammable vegetation within 30' of buildings, and such additional clearance, up to 100 feet, as may be directed.

STEP ONE: FIND THE PERCENT SLOPE WHICH BEST DESCRIBES YOUR PROPERTY.

Homeowner's Guide to Calculating Percent Slope

Hold this line parallel to the ground

INSTRUCTIONS:

1. Enlarge this diagram using a photocopying machine.
2. Mount photocopy on a piece of cardboard.
3. Punch a hole through photocopy and cardboard at the designated spot.
4. Thread a 12" piece of string through the hole and tie a knot in the end of the string on the backside of the cardboard.
5. Tie a 1" or larger washer to weight the other end of the string.
6. Hold the designated line parallel to the ground, sighting up slope along the edge of the cardboard.
7. The weighted string will indicate the percent of slope steepness. For convenience, steepness of slope in degrees is presented in parenthesis.

Thread string through the hole and tie a knot.

Punch hole here

40% (18°) **20% (9°)** **0% (0°)**

Very Steep **Moderately Steep** **Flat to Gentle Slope**

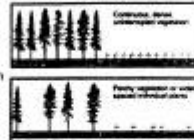
STEP TWO: IS THERE ANY DEAD VEGETATION WITHIN THE RECOMMENDED DEFENSIBLE SPACE AREA? Dead vegetation includes dead trees and shrubs, dead branches lying on the ground or still attached to living plants, and grass, flowers and weeds, dropped leaves and needles, and firewood sticks. In most instances, dead vegetation could be removed from the recommended defensible space area. A description of the types of dead vegetation you're likely to encounter and the recommended actions are presented below.

TYPES OF DEAD VEGETATION AND RECOMMENDED PRACTICE

| DEAD FUEL TYPE | RECOMMENDED PRACTICE |
|---|--|
| STANDING DEAD TREE | Remove all standing dead trees from within the defensible space area. |
| DOWN DEAD TREE | Remove all down dead trees within the defensible space area if they have recently fallen and are not yet embedded into the ground. Downed trees that are embedded into soil and which cannot be removed without soil disturbance should be left in place. Remove all exposed branches from an embedded downed dead tree. |
| DEAD SHRUBS | Remove all dead shrubs from within the defensible space area. |
| DRIED GRASSES AND WILDFLOWERS | Once grasses and wildflowers have dried out or "cured," mow and remove from the defensible space area. |
| DEAD NEEDLES, LEAVES, BRANCHES, CONES (ON THE GROUND) | Reduce thick layers of pine needles to a depth of two inches. Do not remove all needles. Take care not to disturb the "duff" layer (dark area of the ground surface where needles are decomposing) if present. Remove dead leaves, twigs, cones, and branches. |
| DEAD NEEDLES, LEAVES, BRANCHES, AND TWIGS (OTHER THAN ON THE GROUND) | Remove all dead leaves, branches, twigs, and needles still attached to living trees and shrubs to height of 15 feet above ground. Remove all debris which accumulates on the roof and in rain gutters on a routine basis (at least once annually). |
| FIREWOOD AND OTHER COMBUSTIBLE DEBRIS | Locate firewood and other combustible debris (wood scraps, grass clippings, leaf piles, etc.) at least 30 feet uphill from the house. |

STEP THREE: IS THERE A CONTINUOUS DENSE COVER OF SHRUBS OR TREES PRESENT WITHIN THE RECOMMENDED DEFENSIBLE SPACE AREA?

Sometimes wildland plants can occur as an uninterrupted layer of vegetation as opposed to being patchy or widely spaced individual plants. The more continuous and dense the vegetation, the greater the wildfire threat. If this situation is present within your recommended defensible space area, you should "break-it-up" by providing for a separation between plants or small groups of plants.



Recommended Separation Distances for Shrubs

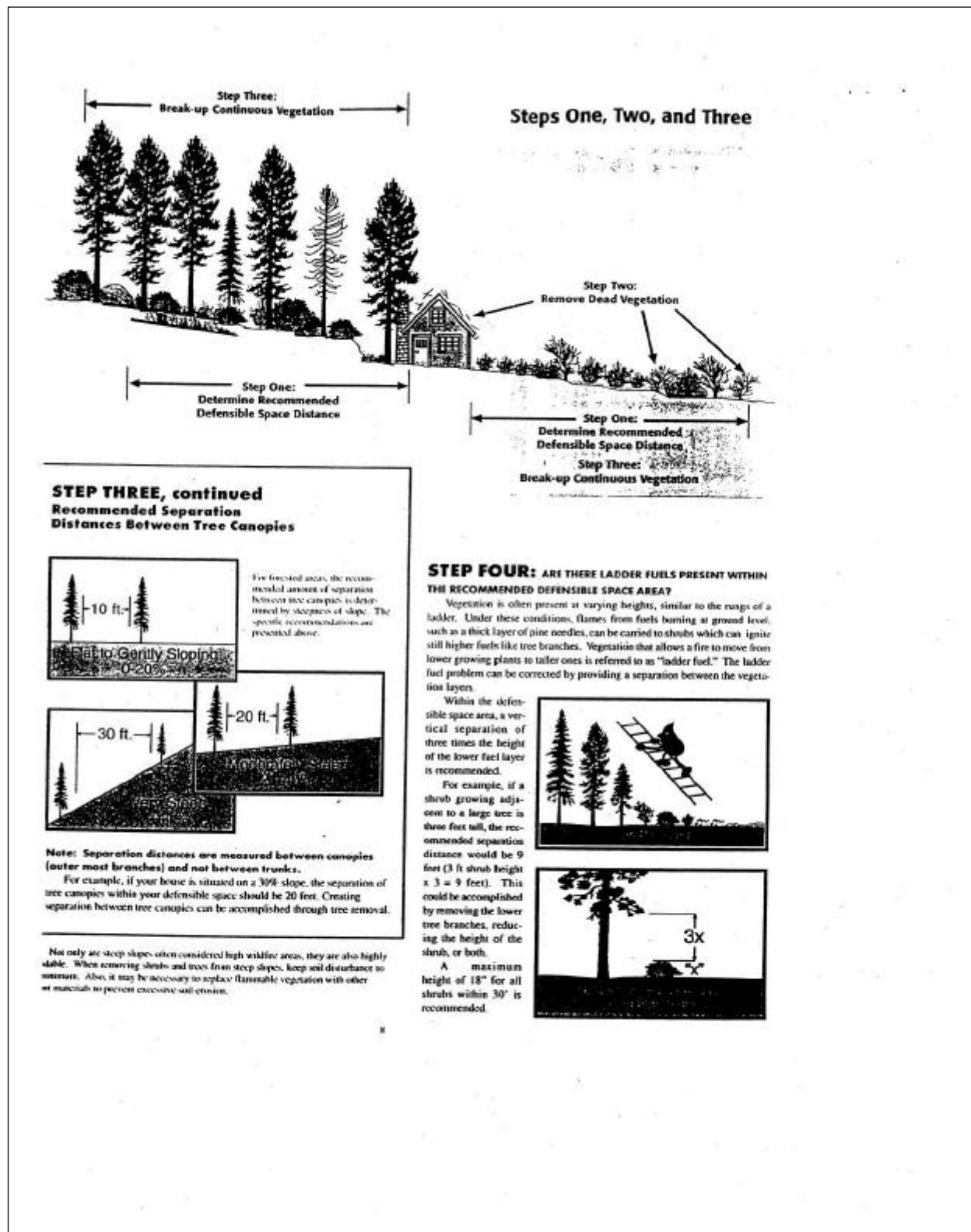
For areas with dense brush or thick trees, the recommended separation distance is dependant upon shrub height and steepness of slope. Specific recommendations are presented below:



Note: Separation distances are measured between canopies (outermost branches) and not between trunks.

For example, if your home is located on a 10% slope and the brush is four feet tall, the separation distance would be two times the shrub height or eight feet (2 x 4 ft shrub height equals 8 ft of separation between shrubs). The recommended separation distance can be accomplished by removing plants or through pruning that reduces the diameter or height (shorter height means less separation) of shrubs.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR



STEP FIVE: IS THERE AN AREA AT LEAST 30 FEET WIDE SURROUNDING YOUR HOUSE THAT IS "LEAN, CLEAN, AND GREEN?"
The area immediately adjacent to your house is particularly important elements of an effective defensible space. Consider the area that is usually landscaped. Within this area, extend at least 30 feet from the house, the following should be kept:

- Lean - small amounts of flammable vegetation.
- Clean - no accumulation of fuel (leaves, twigs, dead flammable debris, and
- Green - plants are healthy and moist during the fire season.

Use Lean, Clean and Green Zone Checklist to effectively evaluate the area immediately adjacent to your house.

STEP SIX: IS THE VEGETATION WITHIN THE RECOMMENDED DEFENSIBLE SPACE AREA MAINTAINED ON A REGULAR BASIS?
Keeping your defensible space effective is a continual process. At least annually, review this defensible space and take action accordingly. An effective defensible space can be quickly diminished through neglect.

DEFENSIBLE SPACE

THE LEAN, CLEAN, AND GREEN CHECKLIST

- Emphasize the use of low-growing herbaceous (non-woody) plants that are kept green during the fire season through irrigation if necessary. Herbaceous plants include lawn, clover, a variety of groundcovers, bedding plants, bulbs, perennial flowers, and conservation grasses.
- Emphasize use of mulches, rock, and non-combustible hard surfaces (concrete sidewalks, brick patios, and asphalt driveways).
- Deciduous ornamental trees and shrubs are acceptable if they are kept green, free of dead plant material, ladder fuels are removed, and individual plants or groups of plants are arranged in a manner in which adjacent wildland vegetation cannot convey a fire through them to the structure. Shorter deciduous shrubs are preferred.
- Minimize the use of ornamental coniferous shrubs and trees and tall exotic grasses (such as pampas grass).
- Where permitted, most wildland shrubs and trees should be removed from this zone and replaced with more desirable alternatives. Individual specimens or small groups of wildland shrubs and trees can be retained so long as they are kept healthy, free of dead wood, and pruned to reduce the amount of fuel and height, and ladder fuels are removed.
- For some areas substantial removal of wildland vegetation may not be allowed. In these instances, wildland vegetation should conform to the recommended separation distances, be kept free of dead plant material, pruned to remove ladder fuels and reduce fuel load, and arranged so it cannot readily convey a fire from the wildlands to the house. Please become familiar with local requirements before removal of wildland vegetation.
- Tree limbs within 10 feet of a chimney, encroaching on powerlines, or touching the house should be removed.

Steps Four, Five, and Six



FIRESCAPE — FIRE SAFE LANDSCAPE DESIGN

When a wildfire comes through your neighborhood, could your home survive on its own? A dramatic question, but one we need to consider when living in an area where wildfire is a common occurrence. Firescaping is landscape design that reduces house and property vulnerability to wildfire. The goal is to develop a landscape whose design and choice of plants offers the best fire protection and enhances the property. The idea is to surround the house with plants that are less likely to burn. It is imperative that fire safety be a major factor in landscape design. Appropriate manipulation of the landscape can make a significant contribution towards a wildfire survival.

Firescape integrates traditional landscape functions and needs into a design that reduces the threat from wildfire. It need not look much different than a traditional design. In addition to meeting a homeowner's aesthetic desires and functional needs such as entertaining, playing, storage, erosion control, firescape also includes vegetation modification techniques, planting for fire safety, defensible space principles and use of fire safety zones.

There are three things which determine wildfire intensity: topography, weather and vegetation. We can only affect vegetation. Through proper plant selection, placement and maintenance, we can diminish the possibility of ignition, lower fire intensity, and reduce how quickly a fire spreads to increase a home's survivability.

In firescaping, plant selection is primarily determined by a plant's ability to reduce the wildfire threat. Other considerations may be important such as appearance, ability to hold the soil in place, and wildlife habitat value. The traditional foundation planting of perennials is not a viable solution in a firescape design. Minimum use of evergreen shrubs and trees within 30 feet of a structure, because junipers, other conifers and broadleaf evergreens contain oils, resins and waxes that make these plants burn with great intensity. Use ornamental grasses and berries sparingly because they also can be highly flammable. Choose "fire smart" plants—plants with a high moisture content. They are low growing. Their stems and leaves are not resinous, oily or waxy. Deciduous trees are generally more fire resistant than evergreens because they have a higher moisture content when in leaf, but a lower fuel volume when dormant.

Placement and maintenance of trees and shrubs is as important as actual plant selection. When planning tree placement in the landscape, remember their size at maturity. Keep tree limbs at least 10 feet from chimneys, power lines and structures. Specimen trees can be used near a structure if pruned properly and well irrigated.

Firescape design uses driveways, lawns, walkways, patios, parking areas, areas with inorganic mulches, and fences constructed of nonflammable materials such as rock, brick, or cement to reduce fuel loads and create fuel breaks. Fuel breaks are a vital component in every firescape design. Water features, pools, ponds or streams can also be fuel breaks. Areas where wildland vegetation has been thinned or replaced with less flammable plants are the traditional fuelbreak. Remember, while bare ground is effective from the wildfire viewpoint, it is not promoted as a firescape element due to aesthetic, soil erosion, and other concerns.

A home located on a bluffy site above a south or west facing slope will require more extensive wildfire safety landscape planning than a house situated on a flat lot with little vegetation around it. Boulders and rocks become fire retardant elements in a design. Whether or not a site can be irrigated will greatly influence location of landscape elements, asphalt, wood decks, etc., plant selection and placement. Prevailing winds, seasonal weather, local fire history, and characteristics of native vegetation surrounding the site are additional important

considerations

The area closest to a structure out to 30 ft. will be the highest water use area in the fire safe landscape. Highly flammable fuels should be kept to a minimum and plants kept green throughout the fire season. Use well-irrigated perennials here. Another choice is low growing or non-woody deciduous plants. Lawn is soothing visually, and is also practical as a wildfire safety feature. Rock mulches are good choices. Patios, masonry or rock planters are excellent fuel breaks and increase wildfire safety. Be creative with boulders, riprap, dry streambeds and sculptural inorganic elements.

notes:

When designing a fire-safe landscape remember less is better. Simplify visual lines and groupings. A firesafe landscape lets plants and garden elements reveal their innate beauty by leaving space between plants and groups of plants. In firescaping, open spaces are more important than the plants.

Lawn can be an effective firescape feature. But extensive areas of turfgrass may not be right for everyone. Some good alternatives include clover, groundcovers, and conservation grasses that are kept green during the fire season through irrigation.

PLANTING TREES NEAR POWER LINES

When you landscape, you take a lot of things into consideration before settling on what plant goes where. You must consider the slope of the land, the type of sun exposure, lines of sight, site usage and aesthetics. Everyone knows to call Underground Service Alert (800-227-2600) before digging, but all too often one of the most visible obstacles on a site is overlooked—overhead power lines.

You may overlook powerlines as a concern because certain trees take many years to grow to the height of a power line. For example, it could take more than a decade for a sycamore tree to grow to its mature height. But once that tree grows into the power lines, it becomes a problem for you and your electric company.



Fig. 1. Example of top direct pruning done to trees with a decurrent growth habit.



Fig. 2. Example of side pruning.

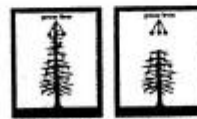


Fig. 3. Example of top pruning done to Redwoods and other trees with an excurrent growth habit.

Too often, homeowners who had envisioned a stately redwood on their property are left with a redwood with no top (fig. 3). Or, hoping for a majestic oak tree, they instead are left with a V-cut (fig. 2).

One way to avoid such a problem is to plant tall-growing trees at least 15 feet or more to the side of overhead power lines.

Another option is to plant trees under power lines that, at maturity, will not reach overhead wires. The International Society of Arboriculture (ISA) recommends planting trees with a mature height of 20 feet or less within 15 feet of power lines (fig. 4).

Some examples of trees that work well under power lines are: *Cercis canadensis*, *Lagerstroemia indica*, *Prunus laurocerasus*, *Arbutus unedo*, *Callistemon* spp., *Geijera parviflora* and *Rhus lancea*. Your local nursery can suggest many other wonderful plants that, at mature height will only grow to around 20 feet tall.

Save the taller trees for other locations. The ISA recommends medium size trees that grow up to 40 feet (12M) tall as you get farther away from the lines. However, be aware of trees that have overhanging branches or shedding bark that could fall onto power lines or homes.

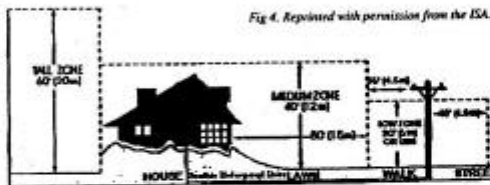


Fig. 4. Reprinted with permission from the ISA.

There are thousands of species of trees in the world and countless varieties, so there is no reason to use the same trees repeatedly. A good source for suggestions and inspiration is the SelectTree site found on the Internet at <http://selecttree.cars.calpoly.edu>. For more information about planting trees under power lines, contact your local electric company or check out the International Society of Arboriculture's web page at www.ag.uiuc.edu/isa/, or Pacific Gas & Electric Company's web page at www.pge.com.

OTHER CONSIDERATIONS IN MAKING YOUR HOME DEFENSIBLE

The manner in which a house is designed, the location on which it is built, materials used in its construction, and access all influence survivability during wildfire. Presented below are recommendations and information provided from California Department of Forestry and Fire Protection's publication "How to Make Your Home Fire Safe." When coupled with an effective defensible space, these recommendations will reduce a home's risk factor to defend and improve its chances of surviving a wildfire.

1. ROOF

- Remove dead branches overhanging your roof.
- Remove any branches within 10 feet of your chimney.
- Clean all dead leaves and needles from your roof and gutters. Install a net that meets the fire resistance classification of "Class A." Check with your local fire agency.
- Cover your chimney outlet and eaves with a nonflammable screen of 1/2 inch or smaller mesh.

2. CONSTRUCTION

- Build your home away from ridge tops, canyons and areas between high points on a ridge.
- Build your home at least 40 feet from your property line.
- Use fire-resistant building materials.
- Enclose the underside of balconies and above-ground decks with fire-resistant materials.
- Limit the size and number of windows in your home that face large areas of vegetation.
- Install only dual-pane or triple-pane windows.
- Consider sprinkler systems within the house. They may protect your home while you're away or prevent a house fire from spreading into the wildlands.

3. LANDSCAPE

- See "Creating An Effective Defensible Space" and "Fire-safe Fire Safe Landscape Design."

4. YARD

- Stack woodpiles at least 20 feet from all structures and clear away flammable vegetation within 10 feet of woodpiles.
- Locate LPG tanks (butane and propane) at least 10 feet from any structure and surround them with 10 feet of clearance.
- Remove all stacks of construction materials, pine needles, leaves and other debris from your yard.
- Contact your local fire department to see if open burning is allowed in your area; if so, obtain a permit before burning debris.
- Where burn barrels are allowed, clear flammable materials at least 10 feet around the barrel; cover the open top with a non-flammable screen with mesh no larger than 1/4 inch.

5. EMERGENCY WATER SUPPLY

- Maintain an emergency water supply that meets local fire department standards.
- Clearly mark all emergency water sources and notify your local fire department of their existence.
- Create easy firefighter access to your closest emergency water source.
- If your water comes from a well, consider an emergency generator to operate the pump during a power failure.

6. ACCESS

- Identify at least two exit routes from your neighborhood.

- Construct roads that allow two-way traffic.
- Design road width, grade and curves to allow access for large emergency vehicles.
- Construct driveways to allow large emergency equipment to reach your home.
- Design bridges to carry heavy emergency vehicles, including bulldozers carried on large trucks.
- Post clear road signs to show traffic restrictions, such as dead-end roads, and weight and height limitations.
- Make sure dead-end roads and long driveways have turnaround areas wide enough for emergency vehicles. Construct turnouts along one-way roads.
- Clear flammable vegetation at least 10 feet from roads and five feet from driveways.
- Cut back overhanging tree branches above roads.
- Construct fire barriers, such as greenbelts, parks, golf courses and athletic fields.
- Make sure that your street is named or numbered, and a sign is visibly posted at each street intersection.
- Make sure that your street name and house number are not duplicated elsewhere in the county.
- Post your house address at the beginning of your driveway, or on your house if it is easily visible from the road.

7. OUTSIDE

- Designate an emergency meeting place outside your home.
- Practice emergency exit drills regularly.
- Make sure that electric service lines, fuse boxes and circuit breaker panels are installed and maintained as prescribed by code.
- Contact qualified individuals to perform electrical maintenance and repairs.
- Shut down LPG tanks and natural gas.

THE WOOD SHAKE AND SHINGLE ROOF HAZARD

A house can be threatened by a wildfire in three ways: direct exposure from flames, radiated heat, and airborne firebrands. Of these, firebrands account for the majority of homes burned by wildfire. The most vulnerable part of a house to firebrands is the roof.


Because of its angle, the roof can catch and trap firebrands. If the roof is constructed of combustible materials such as untreated wood shakes and shingles, the house is in jeopardy of igniting and burning.

Not only are combustible roofing materials a hazard to the structure on which they are installed, but also to other houses in the vicinity. Burning wood shakes, for example, can become firebrands, be lifted from the burning roof, carried blocks away, and land in receptive fuel beds such as other combustible roofs.


Unfortunately for homeowners with existing combustible roofs, there are no long-term reliable measures available to reduce roof vulnerability to wildfire other than re-roofing with fire-resistant materials.




SUGGESTED LANDSCAPING PLANTS TO REDUCE FIRE HAZARD



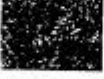
**Century Plant
(Maguey)**
Agave americana




California Fuschia
Eucharis spp.




California Poppy
Eschscholzia californica




California Wax Myrtle
Myrica californica




Creeping Sage
Salvia sonomensis




Dwarf Pomegranate
Punica granatum 'Nana'




Penstemon
Penstemon spp.



Prostrate Rosemary
Rosmarinus officinalis prostratus



Penstemon
Penstemon spp.



Yarrow
Achillea spp.

**Here are some additional
native plants recommended
for
fire resistive landscaping**

Western Columbine, *Aquilegia formosa*
Sticky Monkeyflower, *Menziesia quadrifida*
Deerweed, *Lewisia scopulorum*
Wood Rose, *Rosa gymnocarpa*
Douglas's Iris, *Iris douglasiana*
Creeping Strawberry, *Symphoricarpos mollis*
California Fescue, *Festuca californica*
California Canary, *Tholius californica*
Ocean-Bluff Bluegrass, *Poa urbinensis*

WHEN WILDFIRE APPROACHES

Should a house be threatened by wildfire, the occupants may be advised to evacuate by a fire or law enforcement official. The purpose of evacuation is to protect people from life-threatening situations. Homeowners, however, do have the right to stay on the property if they so desire and so long as their activities do not hinder fire fighting efforts. If the occupants are not contacted in time to evacuate or if the owners decide to stay with their homes, the suggestions provided in the following checklist will assist in protecting their property and the lives of their family.

- ☐ Evacuate, if possible, all family members not essential to protecting the house, as well as pets.
- ☐ Contact a friend or relative and relay your plans.
- ☐ Make sure family members are aware of the prearranged meeting place.
- ☐ Tune into a local radio station and listen for instructions.
- ☐ Place vehicles in the garage, have them pointing out, and roll up windows.
- ☐ Place valuable papers and mementos in the car.
- ☐ Close the garage door, but leave it unlocked. If applicable, disconnect the electric garage door opener so that the door can be opened manually.
- ☐ Place combustible patio furniture in the house or garage.
- ☐ Shut off propane at the tank or natural gas at the meter.
- ☐ Wear only cotton or wool clothes. Proper attire includes long pants, long sleeved shirt or jacket, and boots. Carry gloves, a handkerchief to cover face, water to drink, and goggles.
- ☐ Close all exterior vents.
- ☐ Prop a ladder against the house so firefighters have easy access to the roof.
- ☐ Make sure that all garden hoses are connected to faucets and attach a nozzle set on "spray."
- ☐ Soak rags, towels, or small bags with water to use in beating out embers or small fires.
- ☐ Break, fill bathtubs, sinks, and other containers with water. Outside, do the same with garbage cans and buckets. Remember that the water heater and toilet tank are available sources of water.
- ☐ Close all exterior doors and windows.
- ☐ Close all interior doors.
- ☐ Open the fire place damper, but place the screen over the hearth to prevent sparks and embers from entering the house.
- ☐ Leave a light on in each room.
- ☐ Remove lightweight and/or non-fire resistant curtains and other combustible materials from around windows.
- ☐ If available, close fire resistant drapes, shades, or venetian blinds. Attach pre-cut plywood panels to the exterior side of windows and glass doors.
- ☐ Turn off all pilot lights.
- ☐ Move overstuffed furniture (e.g. couches, easy chairs, etc.) to the center of the room.
- ☐ Keep wood shake or shingle roofs moist by spraying water. Do not waste water. Consider placing a lawn sprinkler on the roof if water pressure is adequate. Do not turn on until burning embers begin to fall on the roof.
- ☐ Continually check the roof and attic for embers, smoke, or fire.

If a fire should occur within the house, contact the fire department immediately. Continue to inspect your house and property for embers and smoke.

Most importantly, STAY CALM!

FIREBRANDS

Firebrands are burning embers produced by wildfire which are lifted high into the air and carried beyond the fire front. Firebrands are one of the major causes of homes burned due to wildfire. Typical firebrand materials include pine cones, bark, and if houses are involved, wood shakes and shingles. Depending on wind speed and size of materials, firebrands can be carried more than 1/2 mile ahead of the fire front.

A shower of thousands of firebrands can be produced during a major wildfire event. If these firebrands land in areas with easily ignited fuels, numerous spot fires can start. Homes located blocks away from the main fire front can be threatened.

San Mateo County Fire Safe Committee Members

| | |
|---|---|
| San Mateo County Fire Department | Mid Peninsula Regional Open Space District |
| San Mateo County Sheriff's Office | San Francisco Water Department |
| San Mateo County OES | South County Fire Authority |
| San Mateo County Parks | Millbrae Fire Department |
| Half Moon Bay Fire Protection District | Hillsborough Fire Department |
| San Mateo City Fire Department | Redwood City Fire Department |
| Woodside Fire Protection District | Fireman's Fund Insurance |
| San Bruno Fire Department | Pacific Gas and Electric Company |
| Stanford University-Jasper Ridge Biological Preserve | Daly City Fire Department |
| South San Francisco Fire Department | Burlingame Fire Department |
| California Department of Forestry and Fire Protection | Los Altos Hill Citizen at Large, Bill Smith |

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 158: **RICHARD S. TAYLOR AND JANETTE SCHUE, SHUTE, MIHALY & WEINBERGER, LLP**

- Response 158-1:* Comment noted. The County considers the Draft EIR and Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA.
- Response 158-2:* Comment noted. The proposed Martis Valley Community Plan is considered substantially consistent with the Placer County General Plan and in several instances incorporates several General Plan policies. Since no comments regarding the adequacy of the Draft EIR were received, no further response is required.
- Response 158-3:* The commentor's statements regarding the land use designations within the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The environmental effects of the Proposed Land Use Diagram and the alternative land use maps considered are fully addressed in the Draft EIR and Revised Draft EIR.
- Response 158-4:* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-5:* The commentor states that the Draft EIR's setting description, impact analysis (including growth inducement and cumulative effects), mitigation measures and alternatives analysis are deficient, but fails to provide any specific data or evidence to support these statements. The Draft EIR and Revised Draft EIR provide an extensive analysis of project impacts and provides an adequate description of the environmental setting, impact analysis and alternatives analysis in compliance with the requirements of CEQA. The County considers the Draft EIR and Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA.
- Response 158-6:* The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The environmental effects of the Martis Valley Community Plan and the associated Proposed Land Use Diagram and the alternative land use maps considered are fully addressed in the Draft EIR and Revised Draft EIR. The County considers the Draft EIR and Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA and finds no reason for recirculation.
- Response 158-7:* The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The proposed Martis Valley Community Plan is considered substantially consistent with the Placer County General Plan and in several instances incorporates several General Plan policies. Since no comments

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

regarding the adequacy of the Draft EIR were received, no further response is required.

Response 158-8: The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The commentor notes several policies in the Placer County General Plan. As discussed in Section 4.1 of the Draft EIR, the revisions to the Martis Valley Community Plan are intended to be consistent with the policy provisions of the Placer County General Plan. The commentor should note that none of the policies that are quoted from the Placer County General Plan prohibit the land use designations contained in the Martis Valley Community Plan, or its revisions. Phrases such as "promote" or "encourage" are less regulatory than terms such as "shall" or "will". As a result, if a land use designation is proposed that isn't consistent with the reader's interpretation of the policy, the proposal may be consistent with the overall intent of the Martis Valley Community Plan or the Placer County General Plan. The determination of whether a specific project is consistent with the Placer County General Plan and the Martis Valley Community Plan is made during consideration of the project by Placer County. The County believes that the proposed project (Martis Valley Community Plan Update) is consistent with its adopted Placer County General Plan. The environmental effects of the Martis Valley Community Plan and the associated Proposed Land Use Diagram and the alternative land use maps considered are fully addressed in the Draft EIR and Revised Draft EIR.

Response 158-9: The commentor provides no specifics in questioning the ability of the plan to protect water quality. Section 4.7 of the DEIR addresses water quality and establishes a number of policies and mitigation measures designed to ensure existing water quality conditions. The commentor is referred to Master Response 3.4.3 (Water Quality).

Response 158-10: The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The environmental effects of the Martis Valley Community Plan and the associated Proposed Land Use Diagram and the alternative land use maps considered are fully addressed in the Draft EIR and Revised Draft EIR. Impacts to biological resources in the Plan area are addressed in Section 4.9 (Biological Resources) of the Draft EIR. The commentor is referred to Response to Comment K-39 regarding the Lahontan cutthroat trout.

Response 158-11: The commentor is referred to Response to Comment 158-10.

Response 158-12: The commentor is referred to Response to Comment 158-10.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

- Response 158-13:* The commentor is referred to Response to Comment 158-10. Potential impacts to deer migration through the Plan area is addressed on Draft EIR pages 4.9-81 through -87.
- Response 158-14:* The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The environmental effects of the Martis Valley Community Plan and the associated Proposed Land Use Diagram and the alternative land use maps considered are fully addressed in the Draft EIR and Revised Draft EIR. Impacts to biological resources in the Plan area are addressed in Section 4.9 (Biological Resources) of the Draft EIR. The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project).
- Response 158-15:* The commentor is referred to Response to Comment 158-14.
- Response 158-16:* The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The environmental effects of the Martis Valley Community Plan and the associated Proposed Land Use Diagram and the alternative land use maps considered are fully addressed in the Draft EIR and Revised Draft EIR.
- Response 158-17:* The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The environmental effects of the Martis Valley Community Plan and the associated Proposed Land Use Diagram and the alternative land use maps considered are fully addressed in the Draft EIR and Revised Draft EIR.
- Response 158-18:* The commentor is referred to Response to Comment 158-17.
- Response 158-19:* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-20:* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-21:* The commentor suggests that the project description is not consistent throughout the Draft EIR, but fails to provide any specific examples to support this assertion. The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

- Response 158-22:* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-23:* The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-24:* The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-25:* The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-26:* The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-27:* The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area). The commentor notes that in their table 2, their estimate of commercial development potential is lower than what was utilized in the Draft EIR (Sections 4.2, Population/Housing/Employment, 4.4, Transportation and Circulation, 4.5, Noise, and 4.6, Air Quality). This observation is correct and thus the Draft EIR overstates the effect of commercial land uses on environmental impacts identified in the Draft EIR. The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis) regarding further modifications of estimated commercial development in the Plan area.
- Response 158-28:* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).
- Response 158-29:* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy). As noted in Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis), day user trips were considered in the traffic impact analysis of the Draft EIR (Section 4.4) and thus were considered in noise (Section 4.5) and air quality (Section 4.6) impacts disclosed in the Draft EIR. It is unclear what public service impacts the commentor is referred to. The public services impact analysis in the Draft EIR generally considers full occupancy of the Plan area. The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) regarding consideration of other public service impacts at full occupancy of the Plan area.
- Response 158-30:* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy). Sections 4.5 (Noise), 4.6 (Air Quality), 4.7 (Hydrology and Water Quality), 4.8 (Geology and Soils), 4.9 (Biological Resources), and 4.10 (Cultural and Paleontological Resources) of the Draft EIR all consider construction impacts associated with subsequent development under the Martis Valley Community Plan. Section 3.0 (Project Description)

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

includes a list of large-scale development project proposed in the Plan area as of the release of the Draft EIR.

Response 158-31: The commentor is referred to Master Response 3.4.1 (Project Description Adequacy). Public service and infrastructure demands (including roadway improvements) associated with subsequent development under the Martis Valley Community Plan are addressed in Sections 4.4 (Transportation and Circulation) and 4.11 (Public Services) of the Draft EIR.

Response 158-32: The information provided in Table 4.6-2, 4.6-3 and 4.6-4 (Draft EIR pages 4.6-7 through -14) and Appendix 4.6 was accidentally labeled incorrectly. The following text changes are made to the Draft EIR.

- Pages 4.6-7 through -14, the following text changes are made to Tables 4.6-2, 4.6-3 and 4.6-4:

**TABLE 4.6-2
CONSTRUCTION EMISSIONS, POUND PER DAY**

| Alternative | ROG | NO _x | PM ₁₀ |
|--|--|--|--|
| Proposed Land Use Diagram (PP) (with Mitigation) | 11.2 (10.9) 10.4 (10.1) | 81.3 (77.6) 80.2 (76.5) | 157.8 (31.1) 157.5 (30.9) |
| Existing Martis Valley Community Plan Land Use Map (AA) (with Mitigation) | 12.6 (12.3) | 83.3 (79.5) | 158.1 (31.5) |
| Alternative 1 (AB) (with Mitigation) | 12.5 (12.2) | 83.2 (79.4) | 158.1 (31.5) |
| Alternative 2 (AC) (with Mitigation) | 10.4 (10.1) 11.2 (10.9) | 80.2 (76.5) 81.3 (77.6) | 157.5 (30.9) 157.8 (31.1) |
| PCAPCD Significance Threshold | 82.0 | 82.0 | 82.0 |

Source: Ballanti, 2002

**TABLE 4.6-3
PREDICTED WORST-CASE CO CONCENTRATIONS AT SELECTED INTERSECTIONS, IN PARTS PER MILLION**

| | Proposed Land Use Diagram (2021) | | Existing MV Community Plan (2021) | | Alternative 1 (2021) | | Alternative 2 (2021) | |
|--|--|--------------------|---|------|-------------------------|------|-------------------------|--------------------|
| | 1-Hr | 8-Hr | 1-Hr | 8-Hr | 1-Hr | 8-Hr | 1-Hr | 8-Hr |
| Northstar Dr./ S.R. 267 | 7.2 8.1 | 5.4 4.7 | 8.0 | 5.3 | 7.9 | 5.3 | 7.2 8.4 | 4.7 5.4 |
| S.R. 267/Airport Road/Schaffer Mill | 9.7 10.1 | 6.5 6.8 | 10.8 | 7.3 | 10.6 | 7.1 | 9.7 10.1 | 6.5 6.8 |
| S.R. 267/S.R. 267Bypass/ Joeeger/ | 10.2 10.5 | 6.8 7.1 | 11.4 | 7.7 | 10.9 | 7.3 | 10.2 10.5 | 6.8 7.1 |

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

| | Proposed Land Use Diagram (2021) | | Existing MV Community Plan (2021) | | Alternative 1 (2021) | | Alternative 2 (2021) | |
|-------------------------|----------------------------------|------|-----------------------------------|------|----------------------|------|----------------------|------|
| | 1-Hr | 8-Hr | 1-Hr | 8-Hr | 1-Hr | 8-Hr | 1-Hr | 8-Hr |
| Brockway | | | | | | | | |
| Most Stringent Standard | 20.0 | 9.0 | 20.0 | 9.0 | 20.0 | 9.0 | 20.0 | 9.0 |

Source: Ballanti, 2002

**TABLE 4.6-4
PROJECT DIRECT/INDIRECT EMISSIONS IN POUND PER DAY**

| Alternative | Source | ROG | | NOx | | PM ₁₀ | |
|---------------------------------|---------------------------|-------------------------------|---------------------------------|---------------------------------|---------------------------------|-------------------------------|---------------------------------|
| | | Summer | Winter | Summer | Winter | Summer | Winter |
| Proposed Land Use Diagram (PP) | Vehicle Exhaust/Road Dust | 425.7 <u>427.7</u> | 447.9 <u>497.6</u> | 1329.5 <u>1463.3</u> | 1451.3 <u>1597.2</u> | 727.2 <u>800.7</u> | 2562.0 <u>2821.0</u> |
| | Landscaping | 8.3 <u>11.3</u> | --- | 0.7 <u>0.9</u> | --- | 0.2 | --- |
| | Wood Burning | --- | 2633.8 <u>3071.6</u> | --- | 390.2 <u>455.1</u> | --- | 3004.5 <u>3503.9</u> |
| | Natural Gas Combustion | 40.6 <u>12.7</u> | 40.6 <u>12.7</u> | 138.0 <u>165.6</u> | 138.0 <u>165.6</u> | 0.3 | 0.3 |
| | Consumer Products | 386.7 <u>451.0</u> | 386.7 <u>451.0</u> | --- | --- | --- | --- |
| | Total | 831.3 <u>947.7</u> | 3479.0 <u>4032.9</u> | 1468.2 <u>1629.8</u> | 1979.5 <u>2217.9</u> | 727.7 <u>801.2</u> | 5566.8 <u>6325.2</u> |
| Existing MV Community Plan (AA) | Vehicle Exhaust/Road Dust | 582.1 | 611.4 | 1790.2 | 1953.2 | 980.7 | 3455.1 |
| | Landscaping | 9.7 | --- | 0.8 | --- | 0.2 | --- |
| | Wood Burning | --- | 3850.3 | --- | 570.4 | --- | 4392.1 |
| | Natural Gas Combustion | 16.8 | 16.8 | 219.6 | 219.6 | 0.4 | 0.4 |
| | Consumer Products | 565.4 | 565.4 | --- | --- | --- | --- |
| | Total | 1174.0 | 5043.9 | 2010.6 | 2743.2 | 981.3 | 7847.6 |
| Alternative 1 (AB) | Vehicle Exhaust/Road Dust | 531.3 | 553.6 | 1656.0 | 1784.3 | 906.5 | 3153.1 |
| | Landscaping | 19.1 | --- | 1.5 | --- | 0.4 | --- |
| | Wood Burning | --- | 3525.4 | --- | 522.3 | --- | 4021.6 |
| | Natural Gas Combustion | 15.9 | 15.9 | 205.9 | 205.9 | 0.4 | 0.4 |
| | Consumer Products | 495.7 | 495.7 | --- | --- | --- | --- |
| | Total | 1062.0 | 4570.6 | 1863.4 | 2512.5 | 907.3 | 7175.1 |

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| Alternative | Source | ROG | | NOx | | PM ₁₀ | |
|-----------------------|-------------------------------|-------------------------------|------------------------------------|------------------------------------|------------------------------------|-------------------------------|------------------------------------|
| | | Summer | Winter | Summer | Winter | Summer | Winter |
| Alternative 2 (AC) | Vehicle Exhaust/ Road Dust | <u>425.7</u> 427.7 | <u>447.9</u> 497.6 | <u>1329.5</u> 1463.3 | <u>1451.3</u> 1597.2 | <u>727.2</u> 800.7 | <u>2562.0</u> 2821.0 |
| | Landscaping | <u>8.3</u> 11.3 | --- | <u>0.7</u> 0.9 | --- | 0.2 | --- |
| | Wood Burning | --- | <u>2633.8</u> 3071.6 | --- | <u>390.2</u> 455.4 | --- | <u>3004.5</u> 3503.9 |
| | Natural Gas Combustion | <u>10.6</u> 12.7 | <u>10.6</u> 12.7 | <u>138.0</u> 165.6 | <u>138.0</u> 165.6 | 0.3 | 0.3 |
| | Consumer Products | <u>386.7</u> 451.0 | <u>386.7</u> 451.0 | --- | --- | --- | --- |
| | Total | <u>831.3</u> 947.7 | <u>3479.0</u> 4032.9 | <u>1468.2</u> 1629.8 | <u>1979.5</u> 2217.9 | <u>727.7</u> 801.2 | <u>5566.8</u> 6325.2 |

Response 158-33: The technical sections of the Draft EIR (Sections 4.1 through 4.12) provide adequate setting information consistent with CEQA Guidelines 15125. The Draft EIR makes several references to the Tahoe Basin in the setting and impact discussions. The commentor is referred to Master Response 3.4.6 (Consideration of Impacts to the Tahoe Basin).

Response 158-34: The commentor is referred to Master Response 3.4.6 (Consideration of Impacts to the Tahoe Basin) and 3.4.10 (Adequacy of the Traffic Impact Analysis).

Response 158-35: The Draft EIR provides a extensive description of biological resources and wildlife corridors in the Plan area (Draft EIR pages 4.9-1 through -33), a description of public services and associated service provisions (Section 4.11, Public Services, of the Draft EIR), the extent of land uses (including commercial uses) within the Plan area, and current housing and demographic conditions in the Plan area and region (Draft EIR pages 4.2-3 through -14). The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis) regarding consideration of day trips. CEQA includes no requirements to specify existing commercial square footage or temporary facilities associated with the operation of the Northstar-at-Tahoe Ski Resort. The technical sections of the Draft EIR (Sections 4.1 through 4.12) provide adequate setting information consistent with CEQA Guidelines 15125.

Response 158-36: The commentor states that the Draft EIR is inadequate because it fails to support its conclusions with facts and analysis. The conclusions of the Draft EIR are based on technical studies prepared specifically for the Plan area, reports that address the environmental conditions associated with the project area, detailed modeling of the project's effects (e.g., traffic, air quality and noise), consultation with resource agencies (e.g.,

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California Department of Fish and Game) and public service agencies (e.g., Northstar Community Services District, Placer County Water Agency and Tahoe-Truckee Sanitation Agency), and analysis and expert opinion by environmental professionals. The basis of impact analyses provided in the Draft EIR is described in the document and reference material used is cited at the end of each technical section of the Draft EIR, consistent with the requirements of CEQA.

Response 158-37: Table 3.0-1 of the Draft EIR provides a description of each of the projects specifically referenced by the commentor (Draft EIR pages 3.0-11 through -16). CEQA does not require that the EIRs or applications of development projects that are part of the cumulative setting be provided in the Draft EIR of the project under evaluation. The commentor is referred to Master Response 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR) regarding the adequacy of the cumulative impact analysis provided in the Draft EIR. As explained on page 1.0-2 of the Draft EIR, Placer County has prepared a program level EIR for the adoption of the Martis Valley Community Plan and is not intended to contain the project-level details for subsequent projects in the Plan area.

Response 158-38: The commentor is referred to Master Response 3.4.1 (Project Description Adequacy). The setting and subsequent project impact analysis provided in the Draft EIR was based on existing conditions between release of the Notice of Preparation (July 11, 2001) and release of the Draft EIR (June 2002). Regarding the specific impact and analyses referenced by the commentor (Section 4.1 and 4.4), the impact analyses are based on evaluating buildout conditions under each of the land use map options under consideration to existing and future planned conditions of areas outside of the Plan area. These analyses do not assume conditions associated with buildout of the 1975 Martis Valley General Plan and the commentor provides no details or evidence to support this statement.

Response 158-39: The commentor suggests that the consistency analysis provided in Section 4.1 (Land Use) of the Draft EIR is inadequate, but fails to specify the deficiencies. Draft EIR pages 4.1-21 through -30 provide an analysis of the Martis Valley Community Plan's consistency with applicable plans. The proposed Martis Valley Community Plan is considered substantially consistent with the Placer County General Plan and in several instances incorporates several General Plan policies.

Response 158-40: The commentor is referred to Response to Comment 158-39. It should also be noted that the environmental effects of the Martis Valley Community Plan and the associated Proposed Land Use Diagram and the alternative land use maps considered are fully addressed in the Draft EIR and Revised Draft EIR.

Response 158-41: The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning

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Commission and Board of Supervisors as part of project consideration. The commenter is referred to Figure 3.0-5 Proposed Land Use Diagram (PP) in the Draft EIR. This figure illustrates the Forest (40-640 AC. MIN) land use designation. Table 1.1 of the Martis Valley Community Plan Update, identifies this Land Use Designation as being consistent with the Forestry (FOR), Timberland Production Zone (TPZ), Residential Forest (RF) and Open Space (O) zone districts. The discussion under C.1.1.1 of the Martis Valley Community Plan further describes this land use designation as being "...applied to mountainous areas of the Plan area where the primary land uses relate to the growing and harvesting of timber and other forest products..." Placer County believes that this land use designation, as described in the Martis Valley Community Plan Update, complies with Government Code Section 65302(a)(1).

- Response 158-42:* All TPZ lands are included in the Forest Land Use designation as described in the Martis Valley Community Plan. It is common for one general plan designation to have several compatible zone districts that direct and control land uses within the same designation. Commercial land use designations, for example, frequently have a number of commercial zone districts that are compatible. Removal from TPZ is a ten-year process, involving penalties if the property is removed prior to the ten year period. Placer County believes that the land use designation for Forest, can accommodate other zoning appropriate and compatible with forestry practices. The Draft EIR pages 4.1-30 through -40 specifically address land use conflicts and timberland conversion impacts, which includes the consideration of land areas currently zoned TPZ. These impacts are identified as significant and unavoidable.
- Response 158-43:* The commenter is referred to Master Response 3.4.8 (Affordable and Employee Housing Effects of the Project).
- Response 158-44:* Draft EIR Impact 4.2.1 is specifically associated with whether the proposed Martis Valley Community Plan and the associated land use map options would be within holding capacity for the Plan area set forth by the Placer County General Plan. Sections 4.1 through 4.12 of the Draft EIR address the environmental effects associated with the extent of development provided under the Martis Valley Community Plan.
- Response 158-45:* The commenter is referred to Master Responses 3.4.2 (Assumptions Used for Development Conditions in the Plan Area), 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR), 3.4.8 (Affordable and Employee Housing Effects of the Project) and Response to Comment F-4.
- Response 158-46:* The Draft EIR references the Hazardous Waste Management Plan adopted by Placer County in January 1989. Placer County General Plan policies 8.G.1, 8.G.2, 8.G.5 and 8.G.12 require consistency with state, local and federal standards, and require that the County strictly regulate the storage of hazardous materials and wastes. (Draft EIR page 4.3-14) Policy 6.H.22 of the Martis Valley Community Plan Update states that "The

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County shall encourage and work with the Truckee Fire Protection District and Northstar CSD to develop coordinated all-hazard disaster response procedures for the following types of disasters: wildfires, flooding, earthquake, severe winter storms, transportation accidents, acts of terrorism, civil disturbance, and hazardous materials releases.” Policy 9.H.4. of the Martis Valley Community Plan Update states “The County shall encourage project proponents to consult early in the planning process with the County regarding the applicability of countywide indirect and area wide source programs and transportation control measures (TCM) programs. Project review shall also address energy efficient building and site designs and proper storage, use, and disposal of hazardous materials.” Implementation of the policies contained within the Placer County General Plan, the Martis Valley Community Plan Update and applicable local, federal and state regulations, addresses the potential for hazardous materials within the Plan area. In addition, the land uses designations set forth in the Martis Valley Community do not typically involve the use of significant quantities hazards materials.

Response 158-47: The commentor is referred to Master Response 3.4.1 (Project Description Adequacy), 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and 3.4.10 (Adequacy of the Traffic Impact Analysis).

Response 158-48: Quasi Public uses were assumed to be office uses for purposed of trip generation. Expansion in ski area capacity was incorporated in the traffic analysis. It is not standard professional practice for a community plan environmental document to base traffic analysis on special events (such as golf tournaments), given their infrequency of occurrence. The commentor is referred to Master Response 3.4.1 (Project Description Adequacy), 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and 3.4.10 (Adequacy of the Traffic Impact Analysis).

Response 158-49: The Draft EIR provides detailed information regarding study area roadways, year 2001 LOS conditions at study area intersections and roadway segments as well as provides accident data (Draft EIR pages 4.4-1 through -16). This information is utilized in the traffic impact analysis provided in the Draft EIR.

Response 158-50: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis).

Response 158-51: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis).

Response 158-52: Draft EIR page 4.4-57 notes the environmental effects anticipated from the construction of roadway improvements identified under Mitigation Measure MM 4.4.1a. The environmental effects of other minor roadway improvements internal to the Plan area (e.g., Schaffer Mill Road connection to Northstar) was included as part of the development under the project (Draft EIR page 4.0-2).

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- Response 158-53:* The commentor is referred to Response to Comment 158-52.
- Response 158-54:* The EIR concludes that the plan will not have a significant impact on parking in the area as adequate parking is required at the individual project level development. In addition, the plan implements many policies that would improve pedestrian and bicycle facilities in the area.
- Response 158-55:* The commentor is referred to Master Response 3.4.1 (Project Description Adequacy), 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 158-56:* The commentor is referred to Response to Comment 158-32.
- Response 158-57:* Draft EIR pages 4.6-7 through -9 and Appendix 4.6 specifically note the methodology and inputs associated with the air quality analysis. Given this, it is unclear what the commentor is suggesting is "unclear". The commentor is referred to Master Response 3.4.1 (Project Description Adequacy), 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and 3.4.10 (Adequacy of the Traffic Impact Analysis).
- Response 158-58:* The commentor is referred to Master Response 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR). Draft EIR page 4.6-19 specifically notes that the cumulative air quality analysis takes into account the entire Martis Valley area, Mountain Counties Air Basin and the Tahoe Basin.
- Response 158-59:* The commentor suggests that the hydrology and water quality analysis is inadequate because it fails to consider some of the components of development under the project, but fails to provide any specific details regarding the missed components. Draft EIR pages 4.7-30 through -73 provide an extensive analysis of water quality, water supply and drainage impacts associated with subsequent development under the Martis Valley Community Plan, including estimations on the extent of substantial land disturbance from development. The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project).
- Response 158-60:* The project consists of the adoption of the Martis Valley Community Plan, which is a policy document that regulates development of the Plan area, but does not specifically dictate the exact form that subsequent development may occur. Thus, it would be speculation to attempt to quantify impervious cover, tree removal and alterations associated with grading. Expansion of the Northstar-at-Tahoe Ski Resort is not a component of the Martis Valley Community Plan. As noted in Section 4.0 (Introduction to the Analysis and Assumptions Used), the Draft EIR does take into account conceptual ski terrain improvements identified in the "Northstar-at-Tahoe Completing the Vision". No application has been submitted for the expansion of the ski terrain area shown in Figure 4.0-1, thus the specific extent of disturbance cannot be quantified. However, as described in Section 4.7 (Hydrology and Water Quality) these

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- conceptual improvements have been considered in the water quality impact analysis. The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project).
- Response 158-61:* The Draft EIR does acknowledge the extent of the Truckee River (Draft EIR page 4.7-1). However, the cumulative analysis is based on the same study area utilized by Desert Research Institute as part of the Water Quality Assessment and Modeling of the California Portion of the Truckee River Basin Report (Draft EIR page 4.7-67). The commentor is referred to Master Response 3.4.3 (Water Quality).
- Response 158-62:* The commentor is referred to Master Response 3.4.3 (Water Quality) and Response to Comment K-6.
- Response 158-63:* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).
- Response 158-64:* The Draft EIR provides a general description of existing land use conditions in the Plan area as well as estimates land area with the Plan area anticipated to remain in open space or in a low intensity use (Draft EIR page 4.7-52). The commentor is referred to Master Response 3.4.3 (Water Quality) and Response to Comment K-6.
- Response 158-65:* The commentor is referred to Master Response 3.4.3 (Water Quality).
- Response 158-66:* The project consists of the adoption of the Martis Valley Community Plan, which is a policy document that regulates development of the Plan area, but does not specifically dictate the exact form that subsequent development may occur. Thus, it would be speculation to attempt to quantify tree removal and alterations associated with grading. The information cited by the commentor is a reference to technical studies associated with the water quality studies for the Truckee River in the setting discussion and was not used in the Draft EIR as a standard for compliance. The commentor is referred to Master Response 3.4.3 (Water Quality).
- Response 158-67:* The Draft EIR specifically acknowledges the potential for new golf courses in the Plan area to result in surface water quality impacts (Draft EIR page 4.7-37). The commentor is referred to Master Response 3.4.3 (Water Quality) and Response to Comment 158-60.
- Response 158-68:* The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project) and Response to Comment I-12. The Lahontan Region Basin Plan contains a waste discharge prohibiting individual domestic wastewater facilities (e.g., septic tanks and leachfield systems).
- Response 158-69:* The commentor is referred to Master Response 3.4.3 (Water Quality) and 3.4.4 (Water Supply Effects of the Project). Draft EIR pages 4.7-18 through -20 specifically notes Public Law 101-618 (Truckee-Carson-Pyramid Lake

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Settlement Act), which sets forth the requirement of establishing the Truckee River Operating Agreement. Thus, it is not speculative to assume that TROA will be implemented.

Response 158-70: The commentor is referred to Master Response 3.4.3 (Water Quality). The Revised Draft EIR includes several alternatives that provide reduced development that could provide for improved surface water quality.

Response 158-71: The commentor is referred to Section 4.8 (Geology and Soils) of the Draft EIR for a discussion of geologic conditions, soil types and slope. The project consists of the adoption of the Martis Valley Community Plan, which is a policy document that regulates development of the Plan area, but does not specifically dictate the exact form that subsequent development may occur. Thus, it would be speculation to quantify land alterations associated with grading and other improvements. The Draft EIR adequately addresses geologic stability concerns associated with subsequent development.

Response 158-72: The commentor is referred to Response to Comment 158-71. It should be noted that the Draft EIR does utilize geotechnical reports that have been prepared for the Eaglewood, Hopkins Ranch, Siller Ranch and Northstar areas.

Response 158-73: The commentor is also referred to Figure 4.8-3 and Table 4.8-2 in the Draft EIR for a discussion of soil types and erosion potential within the Plan area. The project consists of the adoption of the Martis Valley Community Plan, which is a policy document that regulates development of the Plan area, but does not specifically dictate the exact form that subsequent development may occur. Expansion of the Northstar-at-Tahoe Ski Resort is not a component of the Martis Valley Community Plan. As noted in Section 4.0 (Introduction to the Analysis and Assumptions Used), the Draft EIR does take into account conceptual ski terrain improvements identified in the "Northstar-at-Tahoe Completing the Vision". No application has been submitted for the expansion of the ski terrain area shown in Figure 4.0-1 of the Draft EIR, thus the specific extent of disturbance cannot be quantified. As specifically noted on Draft EIR page 4.0-2, the environmental effects associated with subsequent development under the Martis Valley Community Plan disclosed in the Draft EIR includes anticipated roadway improvements.

Response 158-74: The Draft EIR specifically notes areas within the Plan area where development (including potential ski terrain expansions associated with the Northstar-at-Tahoe Ski Resort) could occur that would be exposed to avalanche hazards (Draft EIR pages 4.8-37 and -38). Analysis and consideration for avoiding avalanche hazards in undeveloped portions of the Plan area will only be necessary when development is proposed that exposes future residents and users to this hazard. The commentor is referred to Response to Comment 156-21.

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- Response 158-75:* The commentor suggests that the biological resources analysis in the Draft EIR is inadequate and does not fully address the project's direct, indirect and cumulative impacts. Section 4.9 (Biological Resources) of the Draft EIR utilizes several sources of information and studies, biological resource evaluations for individual properties within the Plan area as well as detailed vegetative and habitat mapping. This section also notes applicable local, state and federal policies and regulations associated with biological resources. Thus, Section 4.9 of the Draft EIR is consistent with the setting requirements of CEQA Guidelines 15125. The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR).
- Response 158-76:* Section 4.9 (Biological Resources) of the Draft EIR provides an extensive discussion of existing biological conditions within the Plan area, including detailed habitat mapping. Reports and surveys used in the analysis were specifically cited in the references portion of the Section (Draft EIR pages 4.9-90 and -91). Each of these reference materials provided appropriate information for the description of biological resources in the Plan area as well as consideration of project impacts. The locations of known occurrences of special-status plant and animal species as well as deer migration through the Plan area are specifically noted in the Draft EIR (Draft EIR pages 4.9-24 through -33).
- Response 158-77:* The Draft EIR provides detailed mapping and resource information for the Plan area and connection with surrounding areas associated with current areas of substantial disturbance in the Plan area and wildlife movement through the Plan area (Figure 4.9-5 of the Draft EIR), habitat and vegetation conditions (including forested areas, Figures 4.9-1 and 4.9-2 of the Draft EIR) and waterways/wetland areas (Figure 4.9-4 of the Draft EIR). Disturbance in the region (i.e., Sierra Nevada Range), due to logging, residential and commercial development, and fire suppression has occurred for decades. Additionally, much of the area (e.g., developed areas within the Plan area, Town of Truckee and Tahoe Basin) is already developed and/or disturbed. Given the history of disturbance and the level and/or proximity to existing development, it is not anticipated that the project will significantly change fire regimes.
- Response 158-78:* Proposed Martis Valley Community Plan policies, implementation programs and mitigation measures identified in the Draft EIR consist of performance standards that subsequent development within the Plan area would be required to comply with, consistent with type of project under evaluation (adoption of a new community plan). The use of performance standard mitigation is allowed under CEQA Guidelines 15126.4(a) and is supported by case law (*Sacramento Old City Association v. City Council of Sacramento* [3d. Dist. 1991] 229 Cal.App.3d 1011, 1028 [280 Cal.Rptr. 478]).
- Response 158-79:* The Draft EIR addresses biological resource impacts associated with special-status species that are not limited to the Plan area, including

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wildlife movement and deer migration (Draft EIR pages 4.9-39 through – 89). In addition, the Draft EIR considers the cumulative effect of the proposed Martis Valley Community Plan on biological resources in the region (Draft EIR pages 4.9-88 and –89).

Response 158-80: Impacts to common species are considered less-than-significant unless the proposed project has the potential to affect a common species throughout a large portion of its known range (i.e., threatens to eliminate the species), has potential to cause populations of common species to fall below self-sustaining levels, or the proposed project has the potential to affect the movement of the common species from one seasonal range to another. Draft EIR pages 4.9-39 and –40 identifies that the vegetation and habitat types to be impacted by the project (mixed conifer forest, red fir forest, Great Basin sage scrub, montane chaparral, and ruderal habitats) are widespread throughout the Sierra Nevada and currently receive no protection from federal, state, or local resource agencies. Thus, their conversion as a result of subsequent development in the Plan area would not be considered significant. However, the Draft EIR does acknowledge where conversion of such habitats may impact special-status species and deer migration (Draft EIR pages 4.9-51 through –87).

Response 158-81: The commentor suggests that the Draft EIR did not consider all environmental effects and extent of habitat loss from the adoption Martis Valley Community Plan associated with roadway widening, new golf course development, ski terrain expansion, timber harvesting and other allowed land uses. Draft EIR page 4.9-39 specifically notes that the vegetation impact acreage estimates are based on the direct impacts from substantial development set forth under the land use map options. However, the Draft EIR also considers that biological resource impacts associated with roadway widening, new golf course development, ski terrain expansion, timber harvesting and other allowed land uses (Draft EIR pages 4.9-39 through –89). The commentor misstates the Draft EIR that the use of forest parcels is not considered in the impact analysis. The intent of the statement on Draft EIR page 4.9-39 was to specifically note that the proposed Martis Valley Community Plan does not specifically propose timber production in the Plan area, rather it acknowledges and regulates this allowed land use.

Response 158-82: The commentor is referred to Response to Comment 158-81.

Response 158-83: The impact analysis associated with Section 4.9 (Biological Resources) of the Draft EIR specifically acknowledges increased human presence as an indirect effect on biological resources in the Plan area, which includes such aspects of increased human presence as water quality concerns and the expansion of roadway facilities (Draft EIR pages 4.9-51 through –89).

Response 158-84: The impact analysis provided in Section 4.9 (Biological Resources) of the Draft EIR specifically acknowledges that some land areas designated as

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- Open Space or another low intensity land use may be impacted by recreational development associated with new golf courses and ski terrain expansions that are not specifically a component of the Martis Valley Community Plan (Draft EIR pages 4.9-39 through -89).
- Response 158-85:* The commenter is referred to Master Responses 3.4.1 (Project Description Adequacy) associated with Placer Legacy and 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR).
- Response 158-86:* The commentor is referred to Response to Comment 158-85. Section 4.9 (Biological Resources) of the Draft EIR analyzes the biological resource impacts associated with the Proposed Land Use Diagram.
- Response 158-87:* The Draft EIR specifically addresses potential impacts to deer migration (Draft EIR pages 4.9-81 through -87). Implementation of proposed Martis Valley Community Plan policies and mitigation measures MM 4.9.11a and b would mitigate this impact to less than significant. The commentor provides no evidence that counters the conclusions in the Draft EIR.
- Response 158-88:* The commenter is referred to Response to Comment K-39 regarding the Lahontan cutthroat trout. The Draft EIR does address potential impacts to the California wolverine (Draft EIR pages 4.9-72 through -76). However, the Draft EIR does acknowledge that the project would contribute to cumulative impacts on special-status species and habitat conditions in the region (Draft EIR pages 4.9-88 and -89).
- Response 158-89:* The commentor is referred to Response to Comment 158-88. The project is not expected to result in any direct loss in old growth stands adjacent to the Plan area. The commentor provides no evidence to support to statement that the project would result in direct off-site old growth stand impacts.
- Response 158-90:* The commentor is referred to Response to Comment 158-88 and Master Response 3.4.6 (Consideration of Impacts to the Tahoe Basin).
- Response 158-91:* Comment noted. Placer County believes that the biological resources analysis in the Draft EIR is adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA. The Revised Draft EIR analyzed several alternatives that would reduce biological resource impacts associated with reduced development in the Plan area.
- Response 158-92:* The commenter is referred to Response to Comment 158-75 through -90.
- Response 158-93:* The Draft EIR's analysis of project impacts on wastewater service is based on consultations with the Truckee Sanitary District, Northstar Community Services District and the Tahoe-Truckee Sanitation Agency (Draft EIR pages 4.11-51 through -62), while the commentor provides no evidence of why the analysis is inadequate. The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.2 (Assumptions Used for Development Conditions in the Plan Area).

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- Response 158-94:* Draft EIR page 4.11-57 notes that until specific nonresidential land use types are known, it is not possible to specifically estimate nonresidential wastewater usage. Nonresidential wastewater generation rates were provided in the Draft EIR. However, based on consultations with T-TSA, the expanded Water Reclamation Plant (WRP) would provide adequate capacity to serve buildout of the Plan area and the T-TSA service area under cumulative conditions (a projected service population of 143,000) (Draft EIR page 4.11-57 and -61).
- Response 158-95:* Given the growth rates in the Plan area, buildout of the Plan area is not expected to occur by the year 2005. The Draft EIR pages 4.11-52 and -53 specifically note that the WRP has been received its waste discharge requirements from RWQCB as well as how T-TSA plans to fund the expansion. The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and Response to Comment 158-94.
- Response 158-96:* Based on consultations with the Northstar Community Services District, wastewater conveyance facilities from the Northstar-at-Tahoe resort community have been sized to provide adequate capacity for buildout of Northstar, including capacity for commercial uses and the ski resort. The potential insufficient provision of restrooms at the Northstar-at-Tahoe Ski Resort is not related to the conveyance capacity of the community.
- Response 158-97:* The Draft EIR specifically notes that the planned expansion of wastewater treatment facilities associated with the WRP (which would provide wastewater treatment service for the Plan area) were previously addressed in the certified T-TSA Water Reclamation Plant Expansion Project EIR (State Clearinghouse No 98052005).
- Response 158-98:* The Draft EIR identifies the anticipated water source (groundwater) for the Plan area and evaluates the environmental effects of utilizing this source. The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).
- Response 158-99:* The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and 3.4.4 (Water Supply Effects of the Project).
- Response 158-100:* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).
- Response 158-101:* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).
- Response 158-102:* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).
- Response 158-103:* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

- Response 158-104:* The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project). Mitigation Measure MM 4.7.5 consists of a performance standard and is based on the requirements of the Truckee-Carson-Pyramid Lake Water Settlement Act. The use of performance standard mitigation is allowed under CEQA Guidelines 15126.4(a) and is supported by case law (*Sacramento Old City Association v. City Council of Sacramento* [3d. Dist. 1991] 229 Cal.App.3d 1011, 1028 [280 Cal.Rptr. 478]).
- Response 158-105:* The Draft EIR specifically addresses impacts to fire protection and emergency service and law enforcement as a result of subsequent development under the Martis Valley Community Plan (Draft EIR pages 4.11-7 through -24). This analysis was based on consultations with service providers. The commentor is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) as well as Comment Letter A (Truckee Fire Protection District).
- Response 158-106:* Draft EIR page 4.11-12 specifically notes portions of the Plan area that are of special concern for wildland fire hazards. The Martis Fire did not occur in the Plan area and did not result in substantial losses of residential units. The Plan area is anticipated to have four roadway access points outside of the Plan area. These include SR 267 Bypass, SR 267 south into the Tahoe Basin, Brockway Road through the Downtown area of the Town of Truckee and the future east river crossing within the Town of Truckee. In addition, Draft EIR pages 4.11-13 specifically identifies proposed Martis Valley Community Plan policies 6.H.9, 6.H.13, 6.H.14, 6.H.17 and 6.H.21 that require County coordination with the local fire protection agencies regarding the adequacy of fire protection and safety for development projects as well as requiring that new development meet local standards for fire protection. This specifically includes fuel breaks and emergency access routes (Policy 6.H.17). The environmental impact analysis provided in the Draft EIR considers the effects of all aspects of subsequent development under the Martis Valley Community, which includes roadway improvements and other activities anticipated to support development. The commentor is also referred to Response to Comment 158-106.
- Response 158-107:* As a program document, the Martis Valley Community Plan establishes policies that must be followed by project-specific development proposals. The Draft EIR acknowledges that subsequent projects will be required to complete CEQA because site-specific information cannot be presented in this programmatic document. Section 4.12 of the Draft EIR addresses visual impacts, and establishes policies that must be followed when specific design information is presented. The commentor misstates information provided in the Draft EIR regarding treatment of the future widening of SR 267, potential ski terrain expansions and new golf courses. As specifically noted on Draft EIR pages 4.12-12 through -37, the visual resource analysis considers the potential visual resource impacts associated with the widening of SR 267 and future recreation facilities as well as residential and nonresidential development.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

- Response 158-108:* Figures 4.12-2 through 4.12-5 of the Draft EIR are based on the visual resource sensitivity mapping that was previously performed as part of the 1975 Martis Valley General Plan based on landforms and vegetation conditions (Figure 4.12-1 of the Draft EIR). Given the forested condition of the area associated with the High Density Residential site in the Northstar-at-Tahoe resort community, it is not expected that it would be a dominant visual feature from views along SR 267.
- Response 158-109:* The project consists of the adoption of the Martis Valley Community Plan, which is a policy document that regulates development of the Plan area, but does not specifically dictate the exact form that subsequent development may occur. Thus, it would be speculation to attempt to quantify tree removal and alterations associated with grading and development that are necessary for conducting a visual simulation.
- Response 158-110:* The commentor states that the Draft EIR lacks evidence that the identified mitigation measures and proposed policies would mitigate project impacts and fails to identify other feasible mitigation measures. However, the commentor does not provide any specifics in regards to what Draft EIR mitigation measures are of concern. As identified in several sections of the Draft EIR, the mitigation measures identified the Draft EIR are based on consultations with applicable public agencies, recommendations from technical studies and reports that are referenced in the Draft EIR, evidence referenced in this document, applicable agency standards and the expert opinion of qualified professionals associated with the preparation of the Draft EIR.
- Response 158-111:* Raptors and migratory birds have varying levels of tolerance regarding human presence. It should be noted that the Plan area is already disturbed and includes substantial human presence. Mitigation Measure MM 4.9.6 would ensure that no birds or their active nests are disturbed during construction activities. The project would involve minor reductions to total available nesting habitat in the region and thus, no significant indirect impacts to raptors and migratory birds are expected. The commenter refers to Mitigation Measure 4.9.6 that does not suggest that roosts can be removed once nesting is completed. The mitigation measure states "Trees containing nest sites **that must be removed** shall be removed during the non-breeding season." *Emphasis added. Draft EIR page 4.9-67.* The Mitigation Measure also requires compliance with the Endangered Species Act and concurrence by the California Department of Fish and Game and the United States Fish and Wildlife Service to ensure no "take" of habitat occurs.
- Response 158-112:* Comment noted. The Martis Valley Community Plan already includes several policies that would preserve habitat conditions for the mountain yellow-legged frog associated with protecting waterways in the Plan area from development and the inclusion of buffers, in addition to Mitigation Measure MM 4.9.4. The commentor is referred to Master Response 3.4.3 (Water Quality).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

- Response 158-113:* The commentor is referred to Master Response 3.4.3 (Water Quality) and Response to Comment K-39 and 10-28.
- Response 158-114:* Comment noted. The Proposed Land Use Diagram provides land uses that generally maintain existing wildlife movement corridors as well as deer migration routes. Biological resource evaluations cited in Section 4.9 (Biological Resources) of the Draft EIR provide detailed information regarding the movement of deer through the northwestern and western portion of the Plan area. Mitigation measures MM 4.9.11a and b specifically ensure that subsequent development projects identify the specific path of deer migration and provide adequate and appropriate open space corridors to allow continued use of the corridors.
- Response 158-115:* Draft EIR mitigation measures and proposed Martis Valley Community Plan policies cited in the Draft EIR as providing mitigation consist of performance standards to ensure that impacts are adequately mitigated as a result of subsequent development. The use of performance standard mitigation is allowed under CEQA Guidelines 15126.4(a) and is supported by case law (*Sacramento Old City Association v. City Council of Sacramento* [3d. Dist. 1991] 229 Cal.App.3d 1011, 1028 [280 Cal.Rptr. 478]).
- Response 158-116:* Section 7.0 (Long-Term Implication) of the Draft EIR specifically addresses the growth-inducing effects of the adoption of the Martis Valley Community Plan. Draft EIR page 7.0-2 specifically notes that implementation of the project would result in the subsequent development of residential, commercial and recreational uses as well as the expansion of infrastructure and roadway facilities within the Plan area. However, the Draft EIR specifically notes that the range of land uses and buildout potential considered under the Proposed Land Use Diagram and the land use map alternatives would all be within the growth projections set forth under the Placer County General Plan. The growth inducing analysis does note that this growth would result in significant effects on the environment that were generally in the Placer County General Plan EIR and in more detail in the Martis Valley Community Plan Update Draft EIR.
- Response 158-117:* The commentor is referred to Master Response 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR) and 3.4.8 (Affordable and Employee Housing Effects of the Project).
- Response 158-118:* The commentor is referred to Response to Comment 158-116. The environmental effects of this roadway widening is addressed on Draft EIR page 4.4-57.
- Response 158-119:* The commentor is referred to Response to Comment 158-116. The environmental effects of potential expansion of ski terrain within the Plan area is addressed throughout the Draft EIR.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

- Response 158-120:* Several components of the major infrastructure intended to support development within the Plan area currently exists or planned to be in place (e.g., wastewater pipelines along SR 267 and Schaffer Mill Road and expansion of the WRP). Further extension of infrastructure facilities within the Plan area would be limited to serve planned development under the Martis Valley Community Plan, which has been previously assumed to develop under the Placer County General Plan. The project is not expected to result in growth inducing impacts to the Tahoe Basin, given the development restrictions set forth by the Tahoe Regional Planning Agency. While development of the Plan area would add to current growth pressures on the Town of Truckee, it would not necessitate development that is inconsistent with the Town of Truckee General Plan.
- Response 158-121:* The commentor is referred to Master Response 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR).
- Response 158-122:* The commentor is referred to Master Response 3.4.7 (Adequacy of the Cumulative Setting and Impact Analysis in the Draft EIR).
- Response 158-123:* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 158-124:* The commentor is referred to Master Response 3.4.5 (Adequacy of the Alternatives Analysis).
- Response 158-125:* Comment noted. The County considers the Draft EIR and the Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA. The commentor is referred to Master Response 3.4.1 (Project Description Adequacy) regarding consideration of development projects in advance of the adoption of the Martis Valley Community Plan.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 159

R. Webb
Comment letter

①

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Dept.
11414 "B" Ave.
Auburn, Ca. 95603

PLACER COUNTY
DATE
RECEIVED

August 13, 2002

AUG 19 2002

PLANNING DEPARTMENT

Re: Draft Environmental Impact Report for the Proposed Martis Valley Community Plan Update.

Dear Ms. Lawrence,

I am a part-time resident of Northstar, and have been actively following the planning process for the Martis Valley for two years. Many aspects of the county's preferred alternative plan and the associated Draft Environmental Impact Report concern me. In this letter, I am enclosing a couple of articles from the local newspapers regarding traffic which I would like Placer County to analyze.

The first was published in the Vol. 134-No. 32 of the Sierra Sun. In the starred article, "Martis Talk Continues", Town of Truckee Councilman Josh Sussman was quoted, "I was just incredulous when I saw the volume of traffic and circulation...". Community Development Director Tony Lashbrook said the town's two main traffic concerns are keeping Highway 267 a two-lane road and minimizing the amount of traffic signals that will need to be placed along 267 if the current plans go through. But Lashbrook noted, development would have to be reduced 90 percent from the current plan to avoid "four laning" 267.

159-1

During the Citizen's Advisory Committee Meetings for the Martis Valley Community Plan Update, members of the community have requested a plan which does not require the four-laning of Highway 267. It is not clear to me that the Plan has set a threshold level for development which does not require the widening of 267. Certainly nothing has been proposed that approximates Mr. Lashbrook's figure of a reduction of 90% from the current plan. From an intuitive basis, I believe Mr. Lashbrook's figure is right. However, he may have model information which goes beyond my intuition. Please determine what the basis for Mr. Lashbrook's comment is. Many times I encounter stop-and-go traffic on 267 as I travel to either Lake Tahoe or the town of Truckee. This road already has an inadequate level of service. At what level of development do we avoid widening 267 to four lanes? What level of service will we be provided with? Is it worse than what we currently have?

In the Aug. 9, 2002 edition of the Lake Tahoe Bonanza, the starred article, "Advisory group to hear changes to Ponderosa Community Plan", TRPA is credited with estimating that new development under the Martis Valley Community Plan update could increase basin car traffic by at least twenty percent. I believe that only one intersection (267 at King's Beach) was analyzed in the Draft Environmental Impact Report. Highway 89 was not analyzed; Incline Village traffic was not analyzed. The effect of the additional

159-2

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

K. Welch
Comment letter
(2)

pollutants on Lake Tahoe itself was not analyzed, even though a recent article by Leo Poppoff "Basin Watch" states that atmospheric deposition accounts for significant portions of the pollutant load for the Lake. I believe that if atmospheric deposition accounts for Lake Tahoe pollution, the same must be true for Martis Creek and the Truckee River. Please analyze how atmospheric deposition from vehicle related issues such as road sanding and automobile exhaust affect the surface water in the Martis Valley.

159-2
Cont'd

Thank you for giving me the opportunity to express my concerns regarding the effects of traffic and roads on the Martis Valley and surrounding areas. I look forward to seeing these issues addressed in a revised and recirculated Draft Environmental Impact Report. Please do not certify this Draft Environmental Impact Report for the Martis Valley Community Plan. Instead, recirculate it and fully analyze the effects of traffic and additional roads on the Martis Valley and the surrounding areas, including at least the North and West shores of Lake Tahoe.

159-3

Sincerely yours,

Kathy Welch
Kathy Welch
111 Sandringham Rd.
Piedmont, California
94611

*1707 Grouse Ridge Rd.
Northstar
Truckee 96161*

ENTS • VOL. 134 - NO. 32

WEEK OF AUGUST 8-14, 1994



"IT SHINES FOR ALL"

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H. Welch
Community Editor

**hings
inside
week**



**kespeare,
ahoe**
stalls in Action



Signature tally falls short

■ Old Greenwood reversal will not make fall ballot

By Erich Sommer

Sierra Sun

A referendum petition that would have forced the town to reconsider its approval of the Old Greenwood resort came up fewer than 50 signatures short of the minimum requirement.

"I knew it was going to be really close," said a disappointed Beth Ingalls after getting the news from Town Clerk Patt Osborne on Tuesday.

Ingalls is one of the organiz-

The referendum petition would have required that the Town Council rescind or put to a vote two ordinances that are central to the resort development's approval.

One ordinance approved the development agreement between the town and East West and a second ordinance that rezoned more than 300 acres on the southern end of the proposed 871-acre Old Greenwood resort.

The council unanimously approved both of those ordinances and the project itself in June.

See PETITION, on page 16A

Martis talk continues

Staff reports

In an attempt to make sure Truckee's needs are being met, the town council discussed possible recommendations regarding the Martis Valley General Plan.

Although the final decision rests with the Placer County Planning Commission, the town council will have an opportunity to voice its opinion regarding the future of the neighboring area.

The council will draft a letter stating the town's collective recommendation after further reviewing the draft environmental impact report.

"It was just incredible. I saw the volume of circulation [stated in Councilman Josh Sussman's letter] and then moved on to Councilman Josh Sussman."

See MARTIS, on p. 1

Woman breaks ground arrest

"After she stabbed him she said, 'You can call the police now,'" Berry said.

Benanza Photo • Brian D. Schultz

at a fire would do, but with a chainsaw, Keegan Schafer, a squad leader for North Lake Tahoe Fire Protection District's hand crew, is to create defensible space on state land on upper Tyner.

Tree removal now requires written requests

California Department of Forestry funding problems force changes by TRPA

Rick Adair
A STAFF WRITER

Tahoe Regional Planning Commission announced Wednesday it will have to require written requests for tree removal permits, a change from the past practice of accepting verbal requests.

The change stems from funding problems at the California Department of Forestry, which usually covers the bulk of tree inspection in California. Instead, a lone tree specialist will do most inspections on the California side of the Lake Tahoe Basin, work that is pil-

procedure change is expected

to allow the specialist Jesse Jones to spend more time in the field inspecting trees. To increase efficiency, inspections will be grouped by location, said Jill Keller, agency spokeswoman.

However, TRPA is pursuing other avenues to help with the situation. "We're working on assisting CDF with funding," said Steve Chilton, Chief of TRPA's Environmental Compliance Division, adding that private contractor help was also being considered.

Tree removal inspections on the Nevada side of the lake are handled by the Nevada Department of Forestry.

The TRPA does not require a tree

removal permit to remove a dead tree or a live tree less than 6 inches in diameter at breast height, which measures about 4 1/2 feet.

To get a copy of an inspection request form, call the Tree Removal Request Hotline at (775) 588-4547, ext. 310 or download a copy from www.trpa.org/Applications/Tree_for_m.pdf.

The agency also publishes a brochure about tree cutting and removal regulations that apply to the Lake Tahoe Basin. Pick up the brochure at the TRPA, 308 Dorla Court at Round Hill, or call the agency at (775) 588-4547.

—Greg Crofton contributed to this story

Plan for review again

Legality of retroactive application

staff, who met with interested parties on July 30 and 31.

Angled up in any combination of the ordinances is the possibility that a new environmental statement scheduled for completion next summer will likely result in further changes to the regulations.

Tahoe County Commissioner Jim Galloway, who also sits on the governing Board, said he is worried that the retroactive application of ordinances to projects already being processed for permits could pose legal lia-

bility problems for TRPA.

"When you create a log jam in permit processing for two or more years, you can't just turn around and tell them they now have to spend more time and money to get the thing done," Galloway said in comments Thursday. "This has to be an orderly and fair process. Not only that, but this is the worst thing for public relations that could happen. This could go as far as the U.S. Congress."

But TRPA Deputy Director Carl Hasty said the ordi-

See **Scenic • A16**

Advisory group to hear changes to Ponderosa Community Plan

By Rick Adair
BONANZA STAFF WRITER

Changes to the Ponderosa Community Plan that will allow a favorable transfer of commercial square-footage will be reviewed next Wednesday by the Advisory Planning Commission of the Tahoe Regional Planning Agency.

The changes would designate an area adjacent to the Ponderosa Ranch as a preferred industrial area, which would double the amount of commercial floor space allowed to be transferred out, boosting it to a 1-to-1 ratio, instead of the current

2-to-1 ratio. This favorable designation requires, among other things, that satisfactory best management practices be in place.

Also before the commission will be discussion on:

- Placer County's draft Environmental Impact Report for its proposed Martis Valley Community Plan update. Though the 35 square mile area is north of the Tahoe Basin, the county wants comments from both local and surrounding areas. TRPA thinks new development under the update could increase basin car

See **TRPA • A16**



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Martis Valley Community Plan Update
Final Environmental Impact Report

Placer County
May 2003

3.0-982

yield investment program, and another unnamed investor contributed \$100,000, according to the document.

"Having a gaming license wasn't a contingency of bidding," Knudson said. The buyers will need to get a gaming license only if they want to use the property for gambling, she said.

"They were the successful bidders," Knudson said. "I was trying every way I could to get this case closed." She said her goal is to liquidate

the assets of the debtor to pay off the creditors.

Nick Strozza, assistant United States trustee at the Reno office, confirmed that the trustee "has a statutory mandate to get returns for unsecured creditors."

If the funds are not in place by today, the trustee will go to the back-up bidder, Tom Gonzales, Incline Village businessman whose final bid was \$4.25 million. Another consideration is the appeal of the sale filed early this week by Josh Ketcham

and other Tahoe-Crystal Bay, Inc. shareholders.

"He will have to post a bond," Knudson said of Ketcham's effort. The group will need to offer the purchase price equal to the \$4.35 million offered by The Bristol Group, she said.

If The Bristol Group hasn't deposited the purchase price by the end of the day, court officials just might have to go back to square one, Knudson said.

"We're giving written notification that if funds are not

transferred by tomorrow, the property will go out to bid again," Knudson said Thursday.

During the court hearing on July 23, Knudson told Judge Goldwater she did background checks on all the bidders. When asked what these background checks entailed, Knudson said she checked lines of credit and letters of credit. She also said there is no policy in place for how background checks are conducted.

screen and reduce color contrast of the structure.

Hasty said large structures are meant to dominate.

"Think of a 50 foot by 20 foot billboard," he said. "That 1,000 square feet is designed to catch your eye. We're allowing more than twice this."

Galloway has requested that the issue of retroactive application of ordinance be scheduled for Governing Board meeting either this month, or next, and that it be resolved before adopting the scenic quality ordinances.

TRPA

(continued from page A1)

traffic by at least 20 percent. The presentation will be made at 3:30 p.m.

The Threshold Evaluation Report passed last month by the Governing Board. The commission last month tabled discussion and recommendations on the report because presentations and community com-

ments on scenic and building permit allotments ran longer than expected.

• Elimination of hotel, motel and transient dwelling units as permissible uses in an area at Fallen Leaf's south end that over time has become completely residential.

• Proposed ordinance and plan revisions that could allow a Tahoe Research

Group facility on California State land in the Lake Forest area, north of Tahoe City. The proposed project has been the focus of local protest.

The meeting starts at 9:30 a.m. in the North Lake Tahoe Conference Center, 8318 N. Lake Blvd. For more information, call (775) 588-4547 or visit the Web site www.trpa.org.

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Online at
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17, 2002

The Nevada Fire Safe Council

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 159: **KATHY WELCH, RESIDENT**

Response 159-1: The commentor states that SR 267 already has an inadequate level of service and a certain level of development could require the widening of SR 267 to four lanes. Table 4.4-26 of the Draft EIR as well as **Appendix B** of this document specifically notes that that trip generation associated with the Proposed Land Use Diagram would need to be reduced by 90 percent.

Response 159-2: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis) regarding estimated project traffic volumes in the Tahoe Basin and 3.4.6 (Consideration of Impacts to the Tahoe Basin). Draft EIR pages 4.7-37 through -68 consider water quality impacts associated with roadway maintenance and sanding.

Response 159-3: Comment noted. The County considers the Draft EIR and the Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 160

August 13, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Dept.
11414 "B" Ave.
Auburn, Ca. 95603

PLACER COUNTY
DATE
RECEIVED
AUG 19 2002
PLANNING DEPARTMENT

Re: Draft Environmental Impact Report for the Proposed Martis Valley
Community Plan Update

Dear Ms. Lawrence,

I am a part-time resident of Northstar, and have been actively following the planning process for the Martis Valley for two years. Many aspects of the county's preferred alternative plan and the associated Draft Environmental Impact Report, concern me. However, because the plan is so complex and lengthy, I need additional time to comment fully. Please extend the time for comments until the end of August, at a minimum. At this point, I believe that the Community Plan and the associated Draft Environmental Impact Report are so flawed that the document should be revised and recirculated for additional comments. I formally request that Placer Co. do this.

160-1

I am a retired plant pathologist with a Ph.D from the University of California, Berkeley. As such, I am particularly interested in the flora of the Martis Valley. Some of the environmental articles from the Tahoe World, North Lake Tahoe Bonanza and Sierra Sun have been particularly pertinent because they correlate with my own observations about the Martis Valley. I am enclosing the following:

- Poppoff, Leo, "A New look at restoring disturbed areas with vegetation", North Lake Tahoe Bonanza. July 26, 2002.
- Poppoff, Leo, "Many campaign to rid Tahoe of obnoxious squatters", Tahoe World. Summer, 2002.
- Sommer, Eric, "Mysterious red stuff growing in Martis reservoir. Sierra Sun. July, 2002.

160-2

These articles deal with invasive exotic plants and revegetating efforts in the Tahoe/Martis Valley area. Construction, because it disturbs soil and vegetation cover, predisposes areas to invasion by non-native plant species such as Bull Thistle and Spotted Knapweed. The Big Springs area in Northstar was hydroseeded in an effort to control erosion resulting from construction, ongoing for at least the past five years. I was told by representatives from Northstar that only native plant species would be used in this effort. However, many non-native grasses, and noxious weeds such as Bull Thistle have appeared. Either the hydroseeding mixture was contaminated, and/or the bare soil resulting from construction was hospitable to seeds blown in from neighboring areas. Revegetation of ski slopes can also be difficult. Many of Northstar's slopes are covered by a non-native grass with a few yarrow mixed in and not much else. Oftentimes, there

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

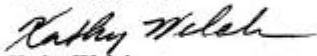
are expanses of bare soil. Near the Day Lodge on the ski slopes is a noxious weed, whitetop, *Lepidium latifolium*. Steve Matson, California Native Plant Society member, has reported to me that he has also seen this plant at Lahontan. This is not the first sighting, as I noticed that it was reported in a biological study done by KEA for Northstar. These examples from my own experience, coupled with the recent news articles referenced above, concern me for the future of our native flora in the Martis Valley and nearby communities. Please implement programs that protect our native flora. How do invasives such as *Lepidium latifolium* (whitetop) get to mid-mountain at Northstar? How should developers eradicate invasive exotic species once they are established? Does *L. latifolium* travel in stream systems? If so, it could rapidly invade much of the Martis Valley.

The invasion of Martis Creek Lake by Eurasian milfoil is an example of an exotic creating havoc in the Tahoe/Martis Valley area. The attached article details the problems associated with this plant.

How will Placer County regulate the revegetation efforts which must accompany development? One possible solution may be close at hand. Mike Hogan's efforts at revegetation are referred to in "A new look at restoring disturbed areas with vegetation". He has helped Northstar with some of their revegetation as well. Success is not impossible but certainly requires care and special techniques including the proper seed mix (seeds collected at elevations between five-hundred feet below and above the site to be vegetated, and no more than five miles away). Martis Valley has an incredibly diverse flora. It would be short-sighted of the County to jeopardize this ecosystem by failing to have a Best Management Practice in place for revegetating this area as construction occurs. Please develop such a system, using local expertise, in a revised Draft Environmental Impact Report.

There is of course, a direct correlation between properly revegetating disturbed areas and controlling erosion, which has a direct effect on our air and water quality. I hope the County will take the opportunity of the Martis Valley Community Plan Update to make certain that what development occurs does not further damage this special place.

Sincerely yours,



Kathy Welch
111 Sandringham Rd.
Piedmont, Ca. 94611

1707 Grouse Ridge Rd.
Northstar
Truckee, Ca. 96161

160-2
Cont'd

A10

environment*North Lake Tahoe Bonanza*

A new look at restoring disturbed

Well vegetated, natural slopes soak up rain and snow melt. Usually, there's no runoff or erosion. So, it's rational to treat disturbed and eroding slopes by trying to duplicate natural vegetation. But, experience has shown a big difference between this theory and actual practice. There are way too many examples of revegetation failures in the Tahoe Basin.

Initial growth usually looks good. Yet, after a few years, grasses and plants disappear. Perhaps maintenance wasn't adequate. Maybe the plantings weren't watered. There might've been a drought. Or there could've been other reasons. Who knows?

Michael Hogan wasn't satisfied with these hand-waving explanations. He believed strongly in revegetation as a preferred BMP (Best Management Practice), and decided to find out why it fails. Hogan is a restoration specialist, with a business (Integrated Environmental Services) in Tahoe. He describes himself as a facilitator, bringing science to the

practice of revegetation.

Hogan and UC-Davis Professor V. P. Claassen surveyed revegetated areas to learn why some areas prospered and others didn't. They measured crop cover, recorded soil types, and determined nutrient content.

Eroding slopes are usually vegetated by spraying them with mixtures of seeds, fertilizer, and mulch (often straw). The application is then irrigated until vegetation is established. This often works for a while. But then, growth declines.

When Hogan and Claassen analyzed their survey data, they realized what was going on. Plants need sustained nutrient sources and water. Slopes cut along roadways obviously have lost the topsoil that naturally supplies

nutrients and holds water. They're hostile environments for vegetation.

Hogan and Claassen found that sites with more than 40 percent crop cover had sustaining sources of nitrogen. Because phosphorus is associated with mineral soil, there was plenty of that nutrient at all sites. But well vegetated sites also had pools of organic nitrogen.

Soil microbes convert organic nitrogen to the nitrates and ammonia used by vegetation. This is called mineralization. It's a slow, natural, ongoing process that maintains the health of plants. Organic nitrogen pools are known to gardeners as compost.

In addition, microbes treat soil mechanically. Microbes exude a material that coats grains of soil and promotes formation of aggregates. This makes the soil more friable, allows oxygen and water to penetrate, and makes the soil more stable.

To control erosion, plants must develop roots deep enough to stabilize soil. Native plant roots can reach

a couple of feet surface, according to Claassen, while created varieties of grasses usually have shallower roots. In the nutrient supply be deeper than the Hogan's first attempt

to mix compost and fertilizer mixture he tried tilling soil of several inches, was more successful compost into the even better. Hogan pine needles for Eventually, nitrogen needles is released fungi.

Now this might be but placing fine-grained on slopes, and the them with seed, fertilizer amendments, take deal of care. Continuing a "reach forklift" work et to carefully st gently work into the soil. If it's right, the soil will stabilize the slope.

While spreading materials on slopes, stab them with lift's prongs. This



VIRONMENT

⑤
J. Webb
Comment
letter

Many campaign to rid Tahoe of obnoxious squatters

Tahoe Basin agencies have formed a posse to root out obnoxious squatters.

It's called the Tahoe Weed Coordinating Group. The 20 members include TRPA, the Forest Service, Agriculture Departments of Nevada and California, University Extensions of both states, Lahontan Water Quality Control Board, Sierra Pacific Power Company, Caltrans, etc.

The list of undesirable includes some fifteen plants that have been deemed noxious. And there's a contract out on them. Susan Donaldson chairs the Tahoe Weed Coordinating Group and is deadly serious about stopping the alien invasion. Dr. Donaldson is with the University of Nevada Cooperative Extension. She is a Water Quality Education Specialist.

Donaldson points out that one of the fifteen no-goods, spotted knapweed, has invaded most of Montana. That state has spent millions of dollars trying to control it. Another one, yellow starthistle, has already invaded 15 to 20 percent of California's landscape. By comparison, infestations in the Tahoe Basin are small, but they're growing, and it's worrisome.

Why are these weeds obnoxious? Donaldson explains that they compete aggressively with native plants and displace them. Erosion is greater by almost 200 percent in some cases where spotted knapweed is

attempts to stabilize the watershed, increases stream sedimentation and is bad for water quality. Spotted knapweed contains material that inhibits the growth of other plants and it irritates human skin.

Yellow starthistle, which has recently been reported in the Basin, reduces wildlife habitat and forage, depletes soil moisture and its thorns can puncture tires.

Diffuse knapweed quickly invades disturbed and undisturbed



By Leo Poppoff

BASIN WATCH

grassland and riparian plant communities, impairs wildlife habitats and increases soil erosion. It's found in Alpine County gravel lots and along highway 50 in El Dorado County. Bull thistle is widespread in disturbed areas. Tall whitetop grows anywhere at altitudes as high as 10,000 feet.

Spotted knapweed is well suited to the conditions in the basin and could spread rapidly. It's found along I-80 from Truckee to Blue Canyon and along highway 89 from Homewood to I-80. Musk thistle isn't in the basin yet, but it's already in Truckee and is spreading fast in Reno.

How did these obnoxious squatters get into the basin? Donaldson points out that some came with straw bales used to control erosion. Some arrived on automobile tires, construction material, and seed mixes. Some weeds, like whitetop, spread by invasive roots. Others, like thistles, have seeds that are spread readily by winds. It's

fined and out of the basin.

Donaldson explains that the most undesirable fifteen noxious weeds are divided into three groups. She notes that the first group (musk thistle, Scotch thistle, Canada thistle and Russian knapweed) consists of weeds that aren't here yet, but are just outside the door. The second group (yellow starthistle, Scotch broom, and diffuse knapweed) has been found in small infestations and must be eradicated immediately before they spread. The third group includes weeds that are already established and must be managed to keep from spreading further. This notorious gang includes bull thistle, Eurasian watermilfoil, spotted knapweed, Klamathweed, Dalmatian toadflax, yellow toadflax, and oxeye daisy.

Bull thistle is widespread in disturbed areas. Eurasian watermilfoil is an aquatic weed that's taken over much of the Tahoe Keys and is spreading to marinas around the lake. Klamathweed is widespread in the basin, especially in volcanic soils. Dalmatian toadflax is found from Tahoe City to Camp Richardson. A huge population of yellow toadflax is growing at the Upper Truckee dam; it's also found on South Shore beaches and in yards. Tall whitetop already inhabits some 80 sites in the basin.

How can these weeds be identified? Knapweed flowers (some are white, some are purple, and some are yellow) resemble thistles, though they're really not thistles, and most don't have stickers. Thistles are easy to identify. Scotch broom (Genista), with its yellow spring blooms, is a shrub that's all over the state, and familiar to most people. Klamathweed is a perennial aquatic weed that's found in the Tahoe Keys and is spreading to marinas around the lake.

the coordinating group warns, it's not St. John's Wort.

How can these weeds be eradicated? Well, the answer is "carefully" or you might just stimulate more growth and spread the problem. Donaldson cautions that folks don't try. Instead, she suggests that if you spot any of these invasive weeds, call one of the following experts to make a sure identification and advise on eradication methods.

■ Douglas County, call the Douglas County Weed District, (775) 782-9835.

■ Washoe County, call the UNR cooperative Extension, (775) 784-4848.

■ Nevada County, call the Agriculture Commissioner, (530) 273-2648.

■ Placer County, call the Agriculture Commissioner, (530) 889-7372.

■ El Dorado County, call the Agriculture Commissioner, (530) 621-5520.

The Tahoe Weed Coordinating Group is organizing a massive effort to find the locations of these noxious weeds. During a future weekend, they'll be asking folks to call in and report sightings of plants suspected of being invasive weeds. Keep an eye out for the announcement, descriptions and photos. And report suspected noxious weeds. As Dr. Donaldson puts it, "Don't let them choke the blue out of Tahoe."

Comments? Send them to basinwatch@earthlink.net

— Leo Poppoff is a retired atmospheric physicist with NASA and has been a member of the Tahoe Regional Planning Agency's advisory planning commission since 1983. He is also a former member of the Lahontan Water Quality Control

(3)

K Welsh comment re: -

Mysterious red stuff growing in Martis reservoir

By Erich Sommer

Sierra Sun

Despite its red flowers, it's a bloom that many fail to see any beauty in.

The flowers are part of an ever-growing vegetative mass in the United States Army Corp of Engineers' Martis Creek Reservoir.

It is not known what the plant is, or if it is native or non-native.

What is known is that it is growing, and so is the foreboding among those who frequent the lake.

Local fishing guru Bruce Ajari said that after noticing a gradual increase of the plant over the last several years, it took over the reservoir last year to such an extent that fishing was virtually impossible.

And this year may be even worse, Ajari said.

"There is more weed formation than I have seen in over 20

years," Ajari said. "There is something going on out there."

Army Corp of Engineers officials said they don't know what the weed is either, only that weed blooms are common in area lakes, especially in the summer.

Jack Hiscox, a California Department of Fish and Game fisheries biologist based in Nevada City, and Jill Wilson, an environmental scientist for the Lahontan Regional Water Quality Control Board were both unavailable.

The non-native Eurasian watermilfoil has, however, become increasingly common in and around Lake Tahoe.

During the summer months, it produces rigid pink flowers that protrude above the water, similar to that of the unidentified plant in Martis Creek Reservoir.

Eurasian watermilfoil has been identified in Emerald Bay, the Sunnyside Marina, Crystal Bay and in the Truckee River

behind the dam.

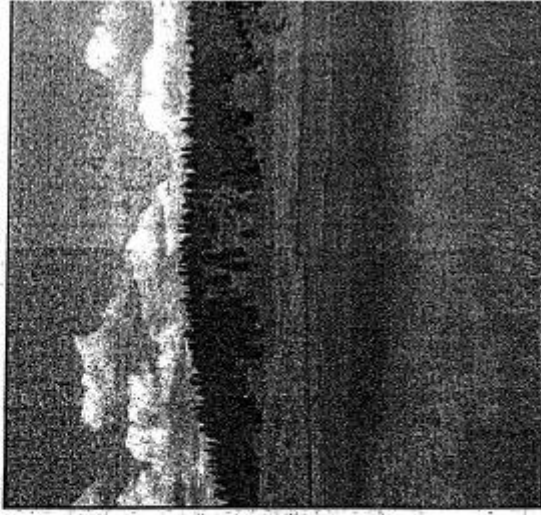
According to Wayne Johnson, an integrated pest management specialist and a professor at UNR, all it will take to identify the weed is a trip to his office.

"Bring it in, and if I can't identify it, we have the resources to get it identified in a couple of days," he said.

Johnson co-authored a University of Nevada, Reno Cooperative Extension center report on watermilfoil.

According to the report, the watermilfoil's rapid growth and decay can degrade water quality, crowd out native plant species and deplete oxygen in the water needed by fish populations. And because of the dense, matted vines, it also presents problems for boat propellers, water skiers and fishermen.

"Let's hope it's not watermilfoil. Because if it is, Martis Creek Reservoir is in big trouble," Johnson warned.



An invasive plant with a reddish hue has taken over parts of Martis Creek Reservoir. Tests are being conducted to determine its origin.

July 2002

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 160: KATHY WELCH, RESIDENT

Response 160-1: The commenter is referred to Master Response 3.4.9 (Adequacy of the Public Review Period). The County considers the Draft EIR and the Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA.

Response 160-2: The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. Proposed Martis Valley Community Plan policies 9.D.4, 9.E.3, 9.F.1 and 9.F.2 already specifically requires and encourages the preservation of natural open space areas, conservation of areas of native vegetation and prohibition of non-native plants, while encouraging revegetation of disturbed areas. The commentor is referred to Master Response 3.4.3 (Water Quality).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 161

1707 Grouse Ridge Road
Northstar, CA 96161

August 16, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR") for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

I have directed several letters to you regarding this Plan; each letter addresses a general topic which I would like to see discussed in a revised and recirculated DEIR.

Placer County has many commendable policies in its general plan which address habitat conservation. Biologists (Dr. Rowan Rowntree, Conservation Biology Institute) whom I have consulted about this plan believe that the Preferred Plan for the Martis Valley is in conflict with these policies. Most of the development being proposed for Eaglewood, Hopkins Ranch, Siller Brothers, Waddle Ranch and the Sierra Pacific Property (Martis Ranch) are single family second homes. All but Martis Ranch involve a golf course. At the moment, there seems to be little demand for this type of house in the Martis Valley. The last I heard from a realtor, Lahontan had about 30 houses for sale and almost 100 lots for sale. This is a huge percentage of the houses built and land available in the Lahontan development, which seems to be the model for the above-mentioned projects. Northstar seems to have another type of project in mind; however, currently there are at least 24 houses for sale at Northstar, 24 condominiums, and timeshares available at the Northstar Club.

Since there seems to be no pressing demand for most of the projects contemplated, I believe the public interest would be best served by evaluating how this land should be used in light of Placer County's policies. Since the Martis Valley Community Plan is the "Constitution" for the Martis Valley, I encourage the County to ensure that the Plan is in harmony with Placer County's own policies regarding habitat conservation.

Thank you.


Kathy Welch

PLACER COUNTY
DATE
RECEIVED

AUG 19 2002

PLANNING DEPARTMENT

161-1

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 161 **KATHY WELCH, RESIDENT**

Response 161-1 Comment noted. The County considers the Draft EIR and the Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA. Since no specific comments regarding the adequacy of the Draft EIR were received, no further response is required.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 162

PLACER COUNTY
DATE
RECEIVED

AUG 19 2002

PLANNING DEPARTMENT

1707 Grouse Ridge Road
Northstar, CA 96161

111 Sandringham Road
Piedmont, CA 94611

August 14, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR) for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

My wife Kathy and I are part time residents at Northstar and have followed various planning issues in the Martis Valley and neighboring communities for more than two years. We are members of a number of local groups interested in the MVCP including the Northstar Property Owners Association, the Mountain Area Preservation Foundation, and the Sierra Club. We are also board members of Sierra Watch, a citizens group, whose mission statement and activities are described at www.sierrawatch.org. We plan to comment on a number of aspects of the DEIR and the Proposed Plan. Our comments are personal and do not necessarily reflect the views of any of the organizations with which we are affiliated.

We have attended a number of meetings of the Martis Valley Community Plan Citizens' Advisory Committee and the North Tahoe Regional Advisory Council. We appreciate the opportunity to learn about the planning process and to contribute our views. Since many of our comments will focus on potential improvements to the evaluation of the Proposed Plan or to the Proposed Plan itself, it may be appropriate to start by commending the Planning Department for attempting to frame policies for development which express "a vision of the future of the community and directions for growth so that Martis Valley can continue to flourish as a community where people and the natural environment exist in harmony".

In reviewing this letter and other comment letters from members of the public, please bear in mind that we are not versed in appropriate procedure and that we may not make our points following legal or other requirements. Nonetheless, we do want Placer County to hear our concerns and to use our comments and suggestions to develop a better plan for the Martis Valley.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

This letter will focus on some aspects of the traffic model. For reasons discussed below the set of nodes used in traffic modeling should be expanded and the trip generation assumptions should be revised. Nodes and road segments which should be explicitly evaluated include, at a minimum, SR 89 segment, SR 89/West River Street intersection in Truckee, SR 89/SR 28 intersection in Tahoe City, SR 28 segment crossing the Nevada border, and SR 28 some distance south of the SR 89/SR 28 intersection. The communities affected, many of which are outside of the geographic boundary of the study area, should have the information generated by the traffic model.

162-1

The next topic concerns the assumptions underlying the trip generation estimates developed by the County to guide the consultant. Clearly, trip generation assumptions are fundamental to the traffic analysis. To ensure that the estimates supplied would not be biased on the low side the County used a "conservative" 20 % permanent occupancy figure for many of the units in the project area. The conservatism of the estimate was determined by asking for views on occupancy of the Citizens Advisory Committee. Ultimately, the County decided that the resort communities in the project area have a permanent occupancy of about 5 % which means that assuming 20 % permanent occupancy would be "conservative". This thought process may or may not lead to a reasonable estimate of occupancy many years in the future.

162-2

Notwithstanding the reasoning process followed, a permanent occupancy rate in excess of 20 % is certainly a realistic possibility. Tahoe Donner, a nearby resort community, has approximately 25 % permanent residents today based on information from the Tahoe Donner Association. Even if no example of a nearby community were available to make the point, there are other grounds for questioning the adequacy of the 20 % permanent occupancy assumption. First, look at the applications on hand for the project area. There are current applications for approximately 1,000 dwelling units out of a total allowable of approximately 6,800 new units. Clearly, many of the remaining 5,800 units may be different from what is planned for the 1,000 or so units in the pipeline. Second, there is a growing trend of families moving to resort communities to establish permanent residence. This trend may or may not continue, but the existence of the trend, combined with current California demographics, may result in permanent occupancy figures well in excess of 20 %.

For all these reasons, the trip generation estimates used by the traffic consultant may significantly understate the traffic impacts of the Proposed Plan and the alternatives evaluated as part of the Draft EIR. Please address this potential underestimate in the next version of the EIR and please also include the node expansion previously suggested in this letter.

162-3

Thank you for the opportunity to comment on the Draft EIR.

Sincerely,


David C. Welch

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 162 **DAVID C. WELCH, RESIDENT**

Response 162-1: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis).

Response 162-2: The commenter is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and 3.4.10 (Adequacy of the Traffic Impact Analysis).

Response 162-3: The commenter is referred to Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area) and 3.4.10 (Adequacy of the Traffic Impact Analysis).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 163

PLACER COUNTY
DATE
RECEIVED

AUG 19 2002

1707 Grouse Ridge Road
Northstar, CA 96161

PLANNING DEPARTMENT August 15, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR") for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

The specific subjects of this comment letter concern selected wildlife in the Martis Valley, the land use diagram in the Proposed MVCP, and management practices in mountain resort communities.

As the County is aware there are many wildlife species in the Martis Valley. The purpose of this comment is to encourage the County to check with some local sources on their experience with bears in the Martis Valley. I believe this new information will be useful to the drafters who prepare the Final Environmental Impact Report ("FEIR"). Specifically, the information gained may lead County Planning staff to alter their recommendations for the land use diagram described as PP for Proposed Plan in the DEIR. Further, the information may lead Planning staff to incorporate various mitigation measures in the FEIR.

163-1

Briefly, the background underlying this suggestion is that the interaction between bears and human communities often leads to disastrous results for individual bears. At Northstar a number of factors, including the expansion of the development footprint of the resort (i.e., the Big Springs subdivision and similar development) and poor garbage disposal practices on the part of a few property owners, have led at times to increased numbers of bear sightings and incidents. Data on this matter is available through local homeowners with an interest in bears. (Please check with Bear Team members at Northstar Property Owners Association ("NPOA") or the Northstar Community Services District and with the Bear League for more details on their efforts and their assessment of local bear issues.)

Both NPOA and Northstar-at-Tahoe have taken steps to improve garbage management which is a significant attraction for bears. Improper management of garbage encourages bears to visit developed areas. So, as a preliminary suggestion I believe the County should recognize that the proposed development will seriously diminish the available undeveloped and undisturbed lands available for bears. Accordingly, I believe the proposed development footprints should be reviewed in light of known information about

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

bear habitat, bear sightings and best management practices. Perhaps some of the undeveloped lands slated for development in the Proposed Plan should be reserved for bear habitat. I believe this is an important issue which should be carefully studied before deciding on land uses.

Further, whatever development is ultimately authorized in the project area should, under the direction of appropriate regulations or mitigation measures adopted by the County, be required to manage garbage in a manner designed to discourage bear interaction with the human community. Beyond garbage, there are several other "normal" things people do around their houses (e.g, bird feeders) which do not contribute to a program of minimizing contact with bears.

Additionally, bear relocation is an expensive and a difficult proposition. I hope the County will recommend some methods of insuring that bears who do become nuisances meet some humane fate.

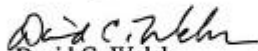
As a last suggestion for the County to consider as part of a mitigation measure, note that a number of Northstar residents and property owners have supported a program of plantings designed to supplement food sources available to bears in areas well away from the developed areas. I do not know if these efforts have been successful in reducing the "conflicts" between bears and residents at the resort, but I do think this type of program should be evaluated but the County and incorporated into the plans for further development in the area.

If we can not find a way to leave appropriate room for the bears and do not take the necessary steps for them to not perish individually because we have taken over part of their habitat for ourselves, we will all be the poorer for it.

I hope these comments will help the County in its planning efforts for the Martis Valley.

Thank you for the opportunity to comment and share my views on this topic.

Sincerely,


David C. Welch

163-1
Cont'd

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 163: **DAVID C. WELCH, RESIDENT**

Response 163-1: Comment noted. Black bears are a common wildlife species and implementation of the Martis Valley Community Plan is not expected to significantly impact this species to the extent that their population would substantially diminish. However, Draft EIR pages 4.9-88 and -89 acknowledge that the project would cumulatively contribute to conflicts between wildlife and human activity.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 164

PLACER COUNTY
DATE
RECEIVED

AUG 19 2002

PLANNING DEPARTMENT

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

1707 Grouse Ridge Road
Northstar, CA 96161

111 Sandringham Road
Piedmont, CA 94611

August 15, 2002

Re: Draft Environmental Impact Report ("DEIR") for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

This comment letter notes that the consultant or consultants hired to evaluate the impacts of the proposed MVCP failed to evaluate and adequately inform report readers about the environmental setting for the project. The project description in the DEIR is defective in a number of ways. This comment letter deals only with the DEIR's failure to address important known issues concerning development in the Sierras and its failure to adequately describe the range of future climate conditions which might have a major impact on the project area. Adequate discussion of these issues might materially assist the Board of Supervisors in making decisions about development in the Martis Valley.

The scope of the proposed project, allowing up to 9,220 dwelling units according to the Proposed Plan, is a multiple of the dwelling units in the closest Placer County community, Kings Beach. The land use diagram contemplated involves some high resource consumption uses (e.g., golf courses) and the potential to disturb a major portion of the privately owned lands in the Martis Valley. The proposed project is the largest single project ever advanced in this part of the Sierras. Given the magnitude of the project and its significance to the region, County Planning staff has appropriately projected the allowable development in the Proposed Plan to full build out as a fundamental part of the analytical framework for the project. The consultants did not exercise the same level of care in preparing the project description.

For a project of this magnitude and potential importance to the region, the consultants charged with providing the project setting for the evaluation of the Martis Valley Community Plan should have reviewed the relevant historic, current and future contexts. For example, in describing the historic context, the consultants should have reviewed and incorporated appropriate summaries of the principal findings of the Final Report of the

164-1

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Federal government's Sierra Nevada Ecosystem Report ("SNEP") which confirms what many have long feared: poorly planned urban and industrial development in the Sierra is destroying the air and water quality, farmland, and fragile network of ecosystems that make the Sierra Nevada one of the most diverse and magnificent regions in the world. The issue which should have been addressed in the DEIR is how should development allowed by Placer County in the Martis Valley proceed in a manner which avoids the mistakes documented in the SNEP report? The DEIR provides no guidance on this key question.

164-1
Cont'd

Turning to the future context, the consultants do not take appropriate notice of global climate change. Many of the principal elements of climate change have been known and studied for years. Admittedly, there is some controversy over what will ensue as a consequence. An article in the Sacramento Bee on June 4, 2002 by Science Writer Edie Lau summarizes the findings of a recently completed study by scientists at the University of California, Santa Cruz, and Lawrence Livermore National Laboratory. The lead paragraph of that news account warrants repeating here.

164-2

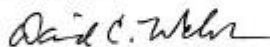
"In one of the most comprehensive studies to date on the effects of global warming in California, scientists predict that within this century, average temperatures will rise everywhere, especially in the Sierra Nevada and Cascade ranges, and winter snowpack in the Sierra will diminish by as much as 82 percent."

The seriousness of the impacts reviewed in this news account illustrates the need for some discussion of the potential impact of climate change in describing the setting for the evaluation of the Proposed Martis Valley Community Plan. To restate the obvious: the DEIR consultants ignore the possibility that the project area may experience a significant change in the availability of water associated with near and long term climactic changes. Decision makers and the public are entitled to an informed assessment of how climate change might affect the range of development decisions before the Board of Supervisors. The drafters of the DEIR do not discuss this critical issue for development in the Sierra.

Please ask the consultants to provide the information described in this comment letter to the Board of Supervisors and interested members of the public.

164-3

Sincerely,


David C. Welch

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 164: DAVID C. WELCH, RESIDENT

Response 164-1: Comment noted. The commenter is referred to Master Response 3.4.1 (Project Description Adequacy) and 3.4.2 Master Response 3.4.2 (Assumptions Used for Development Conditions in the Plan Area). CEQA Guidelines Section 15121(a) states that an EIR is an informational document for decision-makers and the general public that analyzes the significant environmental effects of a project, identifies possible ways to minimize significant effects, and describes reasonable alternatives to the project that could reduce or avoid its adverse environmental impacts. Thus, the Draft EIR is not intended to “guide” the planning process associated with the Martis Valley Community Plan. The County considers the Draft EIR and the Revised Draft EIR adequate for consideration of the Martis Valley Community Plan and in compliance with CEQA.

Response 164-2: The commentor is referred to Master Response 3.4.4 (Water Supply Effects of the Project) regarding consideration of global climate changes.

Response 164-3: Comment noted. Responses to comment letters received on the Draft EIR are provided in this document.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 165

1707 Grouse Ridge Road
Northstar, CA 96161

August 15, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR) for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

This comment letter discusses a portion of the Public Review Draft of the Martis Valley
Community Plan, dated May 23, 2002 comparing it to the January Draft.

Policy 1.B.8 of the January Draft includes: "The County shall discourage the
development of isolated, remote, and/or walled residential projects that do not contribute
to the sense of community desired for the area." This protective Policy is omitted from
the May 2002 Draft.

165-1

First, the earlier draft incorporates a specific policy consistent with the discussions of the
character of the community in meetings of the Citizens Advisory Committee. To my
knowledge the Citizens Advisory Committee did not vote to omit Policy 1.B.8. To my
knowledge the Committee did not even discuss the possibility of omitting Policy 1.B.8.
Accordingly, I request that the subject policy be reinstated in the next version of the
Martis Valley Community Plan.

If adding this modest level of protection is not now considered desirable by County
Planning Staff, I request that the omission of Policy 1.B.8 be discussed in the Staff
response to comments on the Draft EIR for the project.

Thank you for considering this issue and thank you for the opportunity to comment.

Sincerely,


David C. Welch

PLACER COUNTY
DATE
RECEIVED

AUG 19 2002

PLANNING DEPARTMENT

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 165: DAVID C. WELCH, RESIDENT

Response 165-1: The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. Since no comments regarding the adequacy of the Draft EIR were received, no further response is required.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 166

1707 Grouse Ridge Road
Northstar, CA 96161

August 15, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR) for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

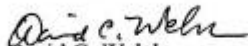
This comment letter discusses a portion of the Public Review Draft of the Martis Valley
Community Plan, dated May 23, 2002.

In Policy 1.E.4 the Review Draft incorporates "The County shall protect and enhance,
through its land use policies and programs, Martis Lake's wild-trout sport-fishery." First,
this is an appropriate and worthwhile addition to policies specific to the Martis Valley.
Second, is there a risk that by using the phrase "wild-trout" to modify "sport-fishery"
inadvertently limits the protection actually intended? Please add an appropriate
clarification to insure that all sport-fishery activities are protected.

166-1

Thank you for the opportunity to comment.

Sincerely,


David C. Welch

PLACER COUNTY
DATE
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PLANNING DEPARTMENT

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 166: **DAVID C. WELCH, RESIDENT**

Response 166-1: The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. The commentor is referred to Response to Comment K-39 and 10-28.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 167

1707 Grouse Ridge Road
Northstar, CA 96161

August 15, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR) for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

The purpose of this comment letter is to share with Placer County Planning Staff an observation on traffic based on a number of conversations with Truckee and Northshore residents. Briefly, many of the comments reflect concerns that Saturday and Sunday traffic conditions merit closer review in the traffic studies. Many residents believe that the summer afternoon peak period used by the traffic consultants is not the peak period based on their experience.

167-1

Please revisit the analysis and presentation of traffic impacts, including information on Saturday and Sunday conditions.

Thank you for your attention to this observation and for the opportunity to comment.

Sincerely,


David C. Welch

PLACER COUNTY
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PLANNING DEPARTMENT

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 167: **DAVID C WELCH, RESIDENT**

Response 167-1: The commentor is referred to Master Response 3.4.10 (Adequacy of the Traffic Impact Analysis).

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 168

1707 Grouse Ridge Road
Northstar, CA 96161

August 15, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR) for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

This comment letter discusses a portion of the Public Review Draft of the Martis Valley
Community Plan, dated May 23, 2002.

The May 2002 Draft includes more than a 33 per cent increase in General Commercial
acreage from 29 acres in the January version to 39 acres in the most recent version.
Please explain how and why the additional 10 acres were added to the plan.

168-1

Thank you for considering this issue and thank you for the opportunity to comment.

Sincerely,


David C. Welch

PLACER COUNTY
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3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 168: DAVID C WELCH, RESIDENT

Response 168-1: The commentor's statements regarding the Martis Valley Community Plan are noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors as part of project consideration. Since no comments regarding the adequacy of the Draft EIR were received, no further response is required.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 169

PLACER COUNTY
DATE
RECEIVED

AUG 19 2002

1707 Grouse Ridge Road
Northstar, CA 96161

PLANNING DEPARTMENT

August 16, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR) for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

This comment letter urges Planning Staff retain the "Open Space" designation for
Section 31, NW Quadrant.

The Proposed Plan modifies the land use from "Open Space" to "Low Density
Residential". I believe the specific site is part of an exiting or planned trail system for the
community affording access to property managed by the Army Corps of Engineers.

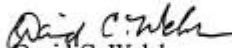
169-1

I believe both the Northstar Property Owners Association's Board and the Northstar
Community Services District will comment on the appropriate land use designation for
Section 31 urging retention of the "Open Space" designation. Their comments would
reflect the views of the elected representatives of a substantial portion of all property
owners in the project area.

Retaining the "Open Space" designation is consistent with Placer County policies and
with community preference.

Thank you for considering this request and thank you for the opportunity to comment.

Sincerely,


David C. Welch

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 169: **DAVID C WELCH, RESIDENT**

Response 169-1: The commentor's concerns regarding the proposed land use designation associated with Section 31 under the Proposed Land Use Diagram and its use as open space and trail usage is noted and will be forwarded to the Placer County Planning Commission and Board of Supervisors for consideration. This is a policy issue associated with the proposed Martis Valley Community and not a specific comment regarding the adequacy of the Draft EIR. The Draft EIR currently evaluates it as Low Density Residential. Conversion of this proposed land use designation to Open Space would not result in any new significant impacts on the environment that were not evaluated in the Draft EIR.

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

Letter 170

PLACER COUNTY
DATE
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AUG 19 2002

PLANNING DEPARTMENT

1707 Grouse Ridge Road
Northstar, CA 96161

August 16, 2002

Attn: Lori Lawrence
Environmental Review Technician
Placer County Planning Department
11414 "B" Avenue
Auburn, CA 95603

Re: Draft Environmental Impact Report ("DEIR") for the Proposed Martis Valley
Community Plan ("MVCP") Update, SCH No.: 2001072050

Dear Ms. Lawrence:

The purpose of this letter is to comment on noise associated with transportation in Martis Valley.

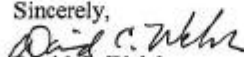
The Proposed Plan allows for an additional 6,800 new dwelling units in the project area. The Draft EIR attempts to analyze the noise impacts associated with this level of development. In addition to noise impacts associated with vehicular traffic, the Martis Valley currently experiences significant noise impacts associated with the Truckee Tahoe Airport. Looking to the future the Martis Valley will experience additional noise impacts as airport operations expand. Notwithstanding the County's efforts to analyze existing and prospective noise impacts, the risk to the community is the proposed development and the continued expansion of the airport will seriously compromise future enjoyment of the Martis Valley due to excessive noise.

Presently, from altitudes of 6,500 feet, about 300 feet off the valley floor, there is fairly constant noticeable highway noise and at Northstar numerous aircraft approaches, presumably for landings. Please accept this letter as testimony that there is already a noise level issue for residents. Please exercise extreme care in deciding to accept any increases in noise levels for the Martis Valley.

At one of the Citizens Advisory Committee meetings, Mr. Gaylan Larson questioned the proposed standards for noise in the Public Review Draft of the Martis Valley Community Plan or in the Draft EIR. Please revisit the issue of appropriate noise standards for the Martis Valley and explain in the next version of the EIR which standard was selected and why.

Thank you for the opportunity to comment.

Sincerely,


David C. Welch

170-1

3.0 COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT AND REVISED DRAFT EIR

LETTER 170: **DAVID C WELCH, RESIDENT**

Response 170-1: Section 4.5 (Noise) of the Draft EIR provides an extensive analysis of various noise impacts associated with implementation of the Martis Valley Community Plan. As shown in Draft EIR Figures 4.5-1 and 4.5-2, the Northstar-at-Tahoe resort community is outside of the noise exposure contours of the Truckee-Tahoe Airport. Appendix 4.5 of the Draft EIR identifies anticipated traffic noise volumes from SR 267 at buildout of the Plan area. The noise standards set forth in the Martis Valley Community Plan (Draft EIR page 4.5-22 through -29) are consistent with the Placer County General Plan noise standards and are generally consistent with noise standards used by other rural jurisdictions in the state.